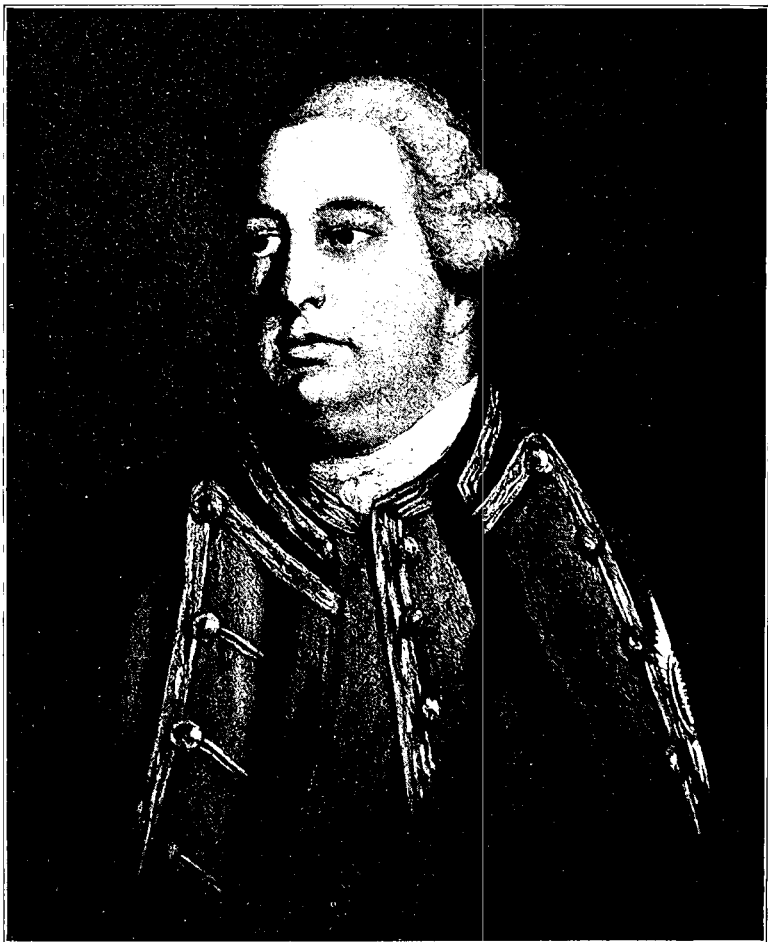


**LANDMARKS
OF
OLD PRINCE WILLIAM**



PRINCE WILLIAM (1721-1765)

Landmarks of Old Prince William

*A study of origins in Northern Virginia
in Two Volumes*



VOLUME I

PRIVATELY PRINTED
THE OLD DOMINION PRESS
RICHMOND
1924

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To the Memory
of the
Founders of old Prince William
Alexander Spotswood
Robert Carter
Thomas Lee
William Fairfax

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PREFACE

ALTHOUGH the local historian has been diligent in the Shenandoah Valley, in Spotsylvania, Orange and Culpeper, and in a less degree in the Northern Neck peninsula, thus bounding old Prince William, he has so far refrained from any conspensive view of that territory now made up of the counties of Prince William, Fairfax, Loudoun, Fauquier, and Arlington, and the City of Alexandria. Outside of the mass of literature which has grown up around Mt. Vernon, we have only Bishop Meade's leisurely peregrinations, and a few studies of periods or special subjects, notably Dr. E. L. Goodwin's illuminating annotations upon Dr. Slaughter's collections from the vestry book of Truro parish, the early chapters of Miss Kate Mason Rowland's *Life of George Mason* and of Senator Beveridge's *Life of John Marshall*; Dr. W. J. Hinke's researches upon Germantown and Mr. H. C. Groome's *Northern Neck Lands*.

And yet the history of this territory deserves to be written; not only by the chronicler but by that anxiously awaited prophet, the philosophical historian of Virginia, who is to digest into convincing generalization the mass of source material accumulated upon the shelves of our libraries during the present generation. His opportunity being to demonstrate his patriotism by acceptance of Virginia's participation in the American Revolution as a phenomenon to be explained, no longer merely to be justified, he will be enabled to bring to his examination of the colonial period an ability to understand it without prejudice, to study Virginia biologically and not *a posteriori*. When he does so he will find in old Prince William problems which call for individual interpretation.

By reason of indian relations, settlement of this territory was delayed long enough to bring us here, in the second quarter of the eighteenth century, upon something characteristic of nineteenth century America but new in Virginia history, the meeting and mingling of men of diverse nationalities, recently

immigrant. By bringing people together from all the different provinces of England, the earliest colonies had tended to modify long inherited local prejudices, as only the London commune previously had done; but, for all that they were 'true born,' in the sense of Defoe's satire, those who had this seventeenth century experience were always Englishmen. While outposts of the civilization they developed spread up the western shore of the Potomac to the head of navigation before 1700 and were thereafter assimilated with the lower tidewater tradition by the residence and dominant influence of representative English families, the interior, which is the community with which we are here chiefly concerned, was characteristically seated by other nationalities. The limit of 'old Virginia' in this territory may be indicated on the map by drawing a contour line from the Potomac to the Rappahannock through the sites of the brick churches (Falls, Christ [Alexandria], Paynes, Pohick, Dumfries, Broad Run and Elk Run), which were built in the middle of the eighteenth century; for those churches were the bench marks of the advance of tidewater society. Above that contour line we shall see the grass lands planted and the forest felled by Celt, Teuton and Gaul.

For a few years only these alien pioneers constituted a true frontier, the American 'far west,' for when the Shenandoah Valley was opened to general seating about 1749 the greater part of them ceased to be characteristic frontiersmen and began to adapt themselves to typical Virginia conditions under the political and social leadership of a comparatively few English families which had overflowed from the older communities. It was then, during the middle years of the century, that mother Virginia took the newcomers to her broad bosom, whispered to each the secrets of her *taboos*, and sent them forth again to carry on her traditions. Despite some bubbling in the racial melting pot, despite the cynical indifference of the lowland planter as to what became of the newcomers, if only they remained a barrier between him and the French and indians, despite the necessity of a change of agricultural staple and of agricultural practice, despite a measurably small slave population, old Prince William grew up a legitimate, if late born,

daughter of the tobacco planting tidewater. By the time of the American Revolution the Irish, the Scot, the German, the French Huguenot here 'seated' had become men of a distinctively different flavor from that of any of their kinsmen settled elsewhere in America, recognisably different even from those who had swarmed out of Pennsylvania in much greater numbers into the Shenandoah Valley. They were 'tuckahoes,' not 'cowees.'

There is, then, a challenge to the historian to explain why these men, sneered at as aliens by some of the Virginians who saw their arrival, produced, in the third and fourth generation, ardent exponents of the Virginia ideal, and since the war between the states have, probably more than any others, remained 'unreconstructed.' There is opportunity for a fascinating study to assay how much of this development may be traced to tradition from the tidewater, how much to local inspiration under the haunting influence of a smiling landscape of hills and dales such as the tidewater never knew, and how much to the fact that old Prince William was the theatre of great events in an epic contest.

The present essay in scissors and paste does not purport to be such a history for it does not attempt to judge the civilization. It makes no higher claim than to be the record of a systematic search for the older landmarks of the development of the community. The endeavor has been, however, by establishing a background, to avoid the provincialism of many local histories. But when this is said, the result remains that peculiarly modern thing, a book of research, written as such books are from without looking in, rather than from within looking out, as history should be. The editor has been highly critical of the flood of such books, which in recent years have issued out of our universities and now finds that the Muse Clio has rebuked his *hubris* by giving that very form to the product of the pleasant studies he undertook for his own enlightenment. For this consideration publication is not intended, except as to those chapters which have been honoured by appearing in the pages of the *Virginia Magazine*, *William and Mary Quarterly*, *Tyler's Quarterly*, and the *Bulletin* of the Fauquier Historical Society.

The book is printed only in order that the honest work which has gone into it and the meticulous documentation might be made available to the future historian.

The uses of such a study being to disentangle fact from tradition, only source records have been drawn upon; chiefly the statutes and legislative journals and that Virginia Domesday book, the land grants. With these testimonies have been read historically the notable series of Virginia maps. The county records, so sadly depleted by the ravages of war, have, of course, been invoked; in particular, free use has been made of a Court Order book of Stafford, covering several years at the end of the seventeenth century, which has recently been recovered after a long and romantic absence from Virginia. By reason of the early amphibious intimacy between Stafford and Charles Counties the *Maryland Archives*, now nobly printed and indexed, have afforded detail and local colour of Virginia relations not preserved elsewhere. The *English Calendar of State Papers*, Colonial, has been invaluable down to 1709. To supplement it some fresh material for the eighteenth century has been extracted direct from the records of the Colonial Office in London; and more from that fountain has been drawn through the recent accessions to the *British Transcripts* in the Library of Congress.

No one who studies any period or any detail of Virginia history can fail to reiterate his profound obligation to the *Virginia Magazine* and the *William and Mary Quarterly* (First and Second series) even when he is impatient of the unnecessary toil of exploring those rich mines without the aid of a comprehensive index. Cordial acknowledgment is made also to many friends throughout northern Virginia who have generously given their aid. Among them may be gratefully mentioned Messrs. H. C. Groome, Alfred B. Horner and J. Brad Beverley, of Fauquier; Messrs. R. Walton Moore, Thomas R. Keith and J. M. Love, of Fairfax; Messrs. W. G. Metzger, R. R. Walker, W. H. Martin and Charles P. Janney, of Loudoun; Messrs. Charles H. Callahan, E. H. Kemper and James R. Caton, of Alexandria; Miss A. M. Ewell, Messrs. W. E. Didlake and

H. Thornton Davies, of Prince William; Mr. W. W. Scott, of Orange, and Mr. Guy E. Mauldin, of Washington City.

F. H.

Belvoir,

Fauquier County, Virginia,

June, 1924.

PART ONE

The Indian Frontier



CAPT. JOHN SMITH, 1612.

CHAPTER ONE

The Unfolding of the Wilderness

SO far as the surviving evidence makes for historical assurance, the territory of old Prince William was first visited by white men in the summer of 1608 when Capt. John Smith explored the Potomac from its mouth to the 'freshes.' He found the Northern Neck peninsula occupied by Algonquins in all respects similar to those the English had previously encountered on the James and forming part of the same Powhatan confederacy. Their chief town, *Petomek* ('the place where the tribute is brought'), from which the great river took its final English name, was on the estuary which is still called Potomac Creek. As Smith learned that 'they were commanded to betray us, by Powhatan's direction,' he passed the Potomacs by, and, pursuing his discoveries further up stream, came into contact with the natives who dwelt in old Prince William itself. Although these nations were nominally included in the Powhatans' confederacy, they were in Smith's day already beginning to listen to the temptations of the Iroquois and to assert the independence which soon enabled them to set up their own Maryland confederacy. They showed this tendency by receiving Smith hospitably, because Powhatan deemed him an enemy. He thus saw them intimately enough to distinguish them as made up of three tribes, which he called *Mayaones*, *Nacothtant* and *Taux* (or *Toags*), and thus introduced on the page of history the *Piscataways*, *Anacostans* and *Doegs* of the later records. Already in Smith's day all these peoples seem to have dwelt on both banks of the river; the *Doegs* below, and the *Piscataways* and *Anacostans* (if ever there was any real difference between the two last named) above, the narrows; and he indicated several of their villages on his map. As modern archeology has discovered evidence of indian villages at the mouths of all the creeks of the upper river below the falls, it is possible, without too great a strain of the historical imagination,

to accept Smith's topography at least in principle.² Thus we identify Doeg villages known as Pamacocock both on Chipawansic 'Island' and across the river on Maryland Point; Tauxnent ('the King's howse') on Occoquan, and Namassingakent on Dogue Run; while the Piscataway (or Anacostan) villages would be, in Maryland, Moyaones on Piscataway Creek, Nacothtant below the Eastern Branch; and in Virginia, Assaomeck below Great Hunting Creek and Nameroughquena on Alexander's Island.

We are to return to the political history of all these peoples. Here it is necessary to refer to them only to contrast their situation with that of the backwoods, which then made up the greater part of the territory we are studying. At the beginning of the seventeenth century the up river people were very far from being degraded savages, for they had reached the highest stage of neolithic culture. Living on lands which had harboured man for countless centuries,³ they were both corn growers and fishermen, and they enjoyed a prosperity and physical comfort in both occupations, which is reflected by the colour of the adjectives Smith uses in speaking of them. It is enough to turn to John White's contemporary drawings⁴ not only to reconstruct their civilization but to feel, as Smith did, the wild charm of it.

That aboriginal river life constituted, however, no more than what the Virginia colony, which superseded it, was destined long to remain, a mere selvage woven upon the fabric of the wilderness. Once one made his way, as Smith did up Aquia, beyond the falls of any of those 'many sweet rivers and springs which fall from the bordering hills,' one plunged into depressing solitude and the silent gloom of a thick forest canopy. Of what that forest veiled, but little was known in Virginia for a century after Smith. By relation of the indians and the reports of the first explorations up the James the colonists soon learned that they had an as yet invisible back ground of high mountains trending 'from the north by a sownthwest lyne, in so much as the more so-ward the further off from the bay are those mountaynes;' but of what lay at the foot of this boundary they were informed only that the forest which encom-

passed the tidewater there broke into a 'champion' country of hills and plains in which the 'five great navigable rivers take their heads.'

Of the two earliest short expeditions into that hinterland in the region which was to be Prince William, the surviving records are at once tantalizing and revealing. The narrator of Smith's voyage up Aquia Creek 'seven or eight myle' above its falls, described only a mine from which the natives drew pigment. Capt. Argall, several years later, is more illuminating. While he, too, was in search of a mine and reports various inconsiderable marvels, incidentally but convincingly he draws aside the forest canopy. Mounting the Rappahannock to the falls of that river in 1613, he says that,

'marching into the Countrie I found great store of cattle as big as Kine, of which the Indians that were my guides killed a couple which were found to be very good and wholsome meate, and are very easie to be killed in regard they are heavy, slow and not so wilde as other beastes of the Wilderness.'

Here is a picture quite different from anything we have seen on the Potomac. The presence of buffalo implies the existence of grass land and so first of all Argall introduces us to the true 'champion' which has ever since been the outstanding topographical characteristic of the piedmont part of old Prince William.

As might be expected, the indians inhabiting this prairie country at the beginning of the seventeenth century were quite different in race and habit of life from the contemporary tide-water Algonquins. The latter, respecting them as oft tried and mortal enemies, gave them the name by which we know them—Manahoac—thereby expressing one of their outstanding characteristics, 'they are very merry.' They were hunting nomads who by a long continued practice of firing the forests had created the plains on which fed the buffalo Argall saw. The picture of them in Smith's *Generall Historie* is one of the most graphic in that entertaining book and has the interest of being the only first hand account of the Manahoac which has

survived. Here it is:¹⁰ Smith and his men had made their way to the falls of the Rappahannock:

'The next day wee sayled so high as our Boat would float; there setting up crosses, and graving our names in the trees. Our Sentinell saw an arrow fall by him; though we had ranged up and downe more then an houre, in digging in the earth, looking of stones, herbs, and springs, not seeing where a Salvage could well hide himselfe.

'Upon the alarum, by that we had recovered our armes, there was about an hundred nimble Indians skipping from tree to tree, letting fly their arrows so fast as they could: the trees here served us for Baricadoes as well as they. But Mosco¹¹ did us more service then we expected; for having shot away his quiver of Arrowes, he ran to the Boat for more. The Arrowes of Mosco at the first made them pause upon the matter, thinking by his bruit and skipping, there were many Salvages. About halfe an houre this continued, then they all vanished as suddainly as they approached. Mosco followed them as farre as he could see us, till they were out of sight. As we returned there lay a Salvage as dead, shot in the knee; but taking him up we found he had life: which Mosco seeing, never was Dog more furious against a Beare, then Mosco was to haue beat out his braines. So we had him to our Boat, where our Chirurgicalian who went with us to cure our Capitaines hurt of the Stingray, so dressed this Salvage that within an houre after he looked somewhat chearefully, and did eate and speake. In the meane time we contented Mosco in helping him to gather up their arrowes, which were an armefull; whereof he gloried not a little.

'Then we desired Mosco to know what he was, and what Countries were beyond the mountaines; the poore Salvage mildly answered, he and all with him were of Hassininga, where there are three Kings more, like unto them, namely the King of Stegora, the King of Tauxuntania, and the King of Shakahonea, that were come to Mohaskahod,¹² which is onely a hunting Towne, and the bounds betwixt the Kingdome of the Mannahocks and the Nandtaughtacunds,¹³ but hard by where we were.

'We demanded why they came in that manner to betray us, that came to them in peace, and to seeke their loues; he answered, they heard we were a people come from under the world, to take their world from them.

'We asked him how many worlds he did know, he replied, he knew no more but that which was under the skie that covered him, which were the Powhatans, with the Monacans and the Massawomeks that were higher up in the mountaines.¹⁴

'Then we asked him what was beyond the mountaines, he answered the Sunne: but of any thing els he knew nothing; because the woods were not burnt.

'These and many such questions wee demanded, concerning the Massawomeks, the Monacans, their owne Country, and where were the Kings of Stegora, Tauxsintania, and the rest. The Monacans he sayd were their neighbours and friends, and did dwell as they in the hilly Countries by small rivers, living upon rootes and fruits,¹⁵ but chiefly by hunting. The Massawomeks did dwell upon a great water, and had many boats, and so many men that they made warre with all the world. For their Kings, they were gone every one a severall way with their men on hunting. But those with him came thither a fishing till they saw us, notwithstanding they would be al together at night at Mahaskahod.

'For his relation we gave him many toyes, with perswasions to goe with us: and he as earnestly desired us to stay the coming of those Kings that for his good usage should be friends with us, for he was brother to Hassininga. But Mosco advised us presently to be gone, for they were all naught; yet we told him we would not till it was night. All things we made ready to entertain what came, and Mosco was as diligent in trimming his arrowes.

'The night being come we all imbarked; for the river was so narrow, had it beene light the land on the one side was so high, they might have done us exceeding much mischief. All this while the K. of Hassininga was seeking the rest, and had consultation a good time what to doe. But by their espies seeing we were gone, it was not long before we heard their arrowes dropping on every side the Boat; we caused our Salvages to call unto them, but such a yelling and hallowing they made that they heard nothing, but now and then a peece, ayming so neare as we could where we heard the most voyces. More than 12 myles they followed us in this manner; then the day appearing, we found our selves in a broad Bay, out of danger of their shot, where wee came to an anchor, and fell to breakfast. Not so much as speaking to them till the Sunne was risen.

'Being well refreshed, we untied our Targets that covered us as a Deck, and all shewed our selves with those shields on our armes, and swords in our hands, and also our prisoner Amoroleck. A long discourse there was betwixt his Countrymen and him, how good wee were, how well wee used him, how wee had a Patawomek with us, loved us as his life, that would have slaine him had we not preserved him, and that he should have his libertie would they be but friends; and to doe us any hurt it was impossible.

'Upon this they all hung their Bowes and Quivers upon the trees, and one came swimming aboard us with a Bow tyed on his head, and another with a Quiver of Arrowes, which they delivered our Captaine as a present: the Captaine having used them so kindly as he could, told them the other three Kings should doe the like, and then the great King of our world should be their friend; whose men we were. It was no sooner demanded but performed, so upon a low Moorish poynt of Land we went to the shore, where those foure Kings came and received Amoroleck: nothing they had but Bowes, Arrowes, Tobacco-bags, and Pipes: what we desired, none refused to give us, wondering at every thing we had, and heard we had done: our Pistols they tooke for pipes, which they much desired, but we did content them with other Commodities. And so we left foure or five hundred of our merry Mannahocks, singing, dauncing, and making merry, and set sayle for Moraughtacund.'

Modern ethnology¹⁶ has identified these Manahoac, with their kinsmen the Monacan who dwelt to the south of them on the headwaters of the James and the Roanoke, as having, long before Smith's day, found their way from the cradle of their Siouan stock in southern Ohio to the Virginia piedmont. The *Generall Historie* records the names of seven villages of the Manahoac on the headwaters of the Rappahannock under the Blue Ridge. Of these Tanxnitania is located on Smith's map on the east bank of the north fork of that river and, as it happens, there is early eighteenth century evidence that an indian town once stood on the site of the Fauquier White Sulphur Springs¹⁷; but as yet there has been no archeological discovery there of any of the characteristic Manahoac communal grave mounds such as have been explored on the Rivanna.¹⁸ It is certain only that none of these people were left within the boundaries of old Prince William at the beginning of the eighteenth century. Their tragic history in the interval is a chapter of the wars of conquest of those 'Massawomek' they named to Smith, the confederacy organized in 1540 by the Five Nations resident in New York, who called themselves the 'Long House,' but are best known in American history by their French name, Iroquois. These powerful tribes, intent on asserting a hegemony over all the indians of eastern America, were,

in Smith's day, already frequenting the upper Potomac and all western Virginia. In 1632 Henry Fleet traded with them at the Falls of the Potomac, describing them as 'Massamecks or Cannyda indians,' and it has been persuasively conjectured that the correct topography of the Shenandoah Valley, depicted on Champlain's map of New France, published in that same year, 1632, was the result of observations by Jesuits who had been out with Iroquois hunting parties.¹⁹ Sometime before 1656 they drove their neighbours, the Erie (or 'Cat Nation') from a long established residence on the great lake to which they left their name, and it has been conjectured that, with their women and children, they then trekked south to Virginia, where, harboured by the Manahoac and the Monacan, they seated themselves at Manakintown, on James River above the falls as the Rickahockians of Virginia history.²⁰ Either in revenge for this hospitality, or because of the failure of their diplomacy to achieve their alliance, the Iroquois declared relentless war on our piedmont indians about this time and ultimately succeeded in driving the Manahoac out of old Prince William. So depleted, they lost their individuality, merged with the Monacan and, after 1669, disappear from the piedmont record.²¹

It so happens that our first, and for quarter of a century to come the only comprehensive, description of the territory relates to the year immediately following the departure of the Manahoac. In 1671 that mysterious German, John Lederer, of whose origin and fate nothing is known,²² reported on the explorations of the interior of Virginia, which he had undertaken under a commission from Sir William Berkeley. On his third journey he made his way up the Rappahannock and ultimately climbed, he says, 'to the top of the Apalataean Mountains' where he saw enough to denounce the 'great error' of the opinion set forth on Virginia Ferrar's Virginia map of 1651 that in ten days' march from the head of any of the Virginia rivers the traveller might reach 'that peaceful Indian Sea' where Sir Francis Drake had been in 1577.²³ We can follow Lederer with certainty, past the falls of the Rappahannock, to the Great Fork, or confluence of the Hedgman with the Rapidan, but here both his description and map become vague. Although he says he followed the

north branch of the Rappahannock to its source, thus suggesting Chester Gap as the place where he mounted the Blue Ridge, he does not show the Little Fork (the confluence of Hedgman's and Hazel River) and so may have kept so far to the South as to miss the Little Fork altogether and reach the Ridge at Thornton's Gap. In any event, we can feel assured that Lederer passed through lower Fauquier. Here is his description:

'On the twentieth of August, 1670, Col. Catlet,²⁴ of Virginia, and myself, with nine English horse and five Indians on foot departed from the house of one Robert Talifer²⁵ and that night reached the falls of the Rappahannock River, in Indian Mantapeuck. The next day we passed it over where it divides into two branches, north and south, keeping the main branch north of us. The three and twentieth we found it so shallow that it only wet our horses' hoofs. The four and twentieth we travelled thorow the Savanae, amongst vast herds of red and fallow deer which stood gazing at us, and a little after we came to the Promontories or spurs of the Apalataean mountains.

'These Savanae are low grounds at the foot of the Apalataeans . . . their verdure is wonderful pleasant to the eye, especially of such as having travelled through the shade of the vast forest, come out of a melancholy darkness of a sudden into a clear and open skie. . . . To heighten the beauty of these parts, the first springs of most of those great rivers which run into the Atlantick ocean or Chesapeack bay do here break out and in various branches interlace the flowry meads whose luxurious herbage invites numerous herds of red deer to feed. . . . The six and twentieth of August we came to the Apalataean mountains.'

This leaves us sadly to seek for land marks, but is important topographically none the less for its observation of the grass lands of the piedmont, thereby confirming Argall. In that respect we soon have more evidence, for Beverley (1705) says: 'The Heads of the Rivers afford . . . large spots of Meadows and Savannas wherein are hundreds of acres without any Tree at all, but yield Reeds and Grass of incredible height.'

It is significant, too, that Lederer makes no mention of meeting resident indians, for he had already been explicit in his record of the Monacan he met on a previous journey to the South. As he here made his way through the heart of the

region in which Smith placed the Manahoac villages, Lederer's silence as to them seems quite definitely to fix the date of their departure.

But this silence does not mean that there were then no indian proprietors of the piedmont. At the treaty of Albany, in 1722, Spotswood asserted that northern Virginia had been 'deserted' when the Manahoac departed. He was promptly challenged by the Iroquois sachems. They had never intended to live there, they said, but the whole world knew that they had conquered that land and that it was their hunting preserve, from which all and sundry had been warned at their peril to keep out. It was thus merely Lederer's good fortune which saved him from a casual, and perhaps fatal, rencontre with the Iroquois. Others had that experience. The Virginia indians early learned the lesson of caution in respect to this region. In 1678 Cornelius Dabney excused the Pamunkeys from compliance with a request that they furnish an elk for Col. Francis Moryson to take to England, by the statement that 'the Senecas having put our indians into a fear, they dare not go so high to hunt.'²⁸ The Rappahannock frontiersmen were, however, of a different stomach. The great fork of the Rappahannock was a tempting hunting ground and there was also the lure of the Blue Ridge and of what there might be beyond it. Several incidental records survive of such men making an adventurous way into the interior at this time, but, unfortunately, none of them was such a scribe as Lederer. From the indian side we learn that in 1679 a party of Virginians met a band of Iroquois somewhere in the piedmont 'as far from any of the English plantations as Cahuaga is from Albany,' and a clash of arms occurred.²⁹ Again, in 1682, Cadwalader Jones, the commander of the Rappahannock rangers, thoroughly explored the Great Fork, and perhaps crossed the Blue Ridge as he asserts on his map of the region, drawn in 1699.³⁰ Under the name of 'that curious Vaile called Scurvion,' he identifies that portion of the piedmont lying between the north fork of the Rappahannock and the James as 'a land very Rich, thirty miles in Breadth and about Ninety miles

North and So. in Length, with four Single Mountains,²⁹ about a Mile rising ground, placed so commodious and pleasing as tho made by art to view and command that vaile.' Many years later, John Taliaferro of Snow Creek, testifying³⁰ that he had accompanied Jones on the journey of 1682, said:

'we traviled up the South river [Rapidan] till we came to sev¹¹ small mountains & so to the North River [Hedgmans]. In our travills we were sev¹¹ times on the North River and went up the South River to the great mountains where we discovered the South River's Springs to head into the Mountains. All our Judgm¹¹ was the South river to be the bigest and were inform'd so by all the Indians y^t was our Pilotts; and saw an Indian y^t made a periauger at the mountain and brought her down to the Garison with Skins and venison, where the said Jones Com-manded.'

With such beginning the territory might soon have been made accessible to the English, but prudent politics now interposed a new restraint. Bringing into Albany some Virginia prisoners taken at this time in the back woods, an Iroquois sachem remarked,³¹ 'It would be convenient that the Governor tell the People of Virginia not to send their Men so far from Home, for if they should meet our Parties in their way . . . we cannot answer for the Consequences.' This warning was formally accepted by treaty in 1684,³² and thus it was that the curtain fell again on the piedmont. Back of the plantations the woods were regularly frequented for hunting as far inland as the confluence of the Rapidan and the Hedgman and perhaps even up to the Bull Run Mountains, but no Englishman then ventured into the highlands. For the planter, until after the treaty of Albany, the effective western limit was a well defined Iroquois trail—the future Carolina road. As a consequence, the frontiersman of 1720 was practically as ignorant of what was behind the Blue Ridge as Capt. John Smith had been.³³

While this was the state of the information on the frontier itself, we can understand why there was no material at Williamsburg with which to correct the current maps. Such ignorance was indeed officially certified to the Crown as late as December, 1720, when the Assembly said:³⁴

'To the westward of Virginia, about forty miles distant from some of our remotest Settlements there runs a Ridge or continued chain of exceeding high Mountains which extend all along the Back of this and the next Province of Carolina, and must certainly prove an Extraordinary safeguard to these Colonies whenever our Plantations shall reach so far as to get possession of the few difficult Passes which, according to the best Discoveries we have heretofore been able to make, appear to be no more than two thro' that Ridge.'

This statement now seems merely curious but, considering its date, it is the best historical evidence of how long the piedmont remained a hunters' wilderness. More than that, it enables us to comprehend the sustained hold upon the imagination of Virginia of the fantastic pictures of that region on Smith's map of 1612 and Virginia Ferrar's map of 1651. The conventionalized pine tree standing, shall we say, on the site of Warrenton and the cheerful wolf prowling about the access to Chester gap illustrate the terror of the unknown, of a region 'where wild in woods the noble savage ran,' a pious appreciation of the lessons of the book of Job. What is here significant is that those illustrations affected men's minds down into the eighteenth century.²⁵

But the curtain of mystery was now suddenly to be raised. Within two years after the Assembly had sent to England the petition we have recited, Governor Spotswood's diplomacy threw open the entire piedmont. The Long House had, by conquest, acquired title to the lands of the Manahoac. By treaty Virginia had recognised that title and now, in 1722, by another treaty acquired it.²⁶

Curious frontiersmen at once swarmed into the highlands of old Prince William. We can see the process of their exploration vividly depicted on the series of maps of the region which were produced during the fifteen years following the treaty of Albany.

The first of these maps, that sent to England by Governor Gooch in the summer of 1731, must have been drawn from information supplied at first hand by someone who had been through the country as well as up the Potomac, for it sorts out and disentangles the confusion of hills shown on Jones' as well

as on Smith's map, into serried well spaced eastward marching ranks, depicting (but not naming) the Blue Ridge, the Coblers, the Rappahannock Range, and the Bull Run mountains; and lays out a complete drainage system, taking in all the principal feeders of the Rappahannock, the Occoquan and Goose Creek. No Blue Ridge gaps are named, but Chester's, Manassas and Ashby's are all indicated as the source of streams, 'Goose Cr.' on the east and 'Happy Cr.' on the west. Along the Potomac the first stream indicated above the Occoquan is 'Four Mile Run,' at the 'Falls' is 'Pimits Run,' further north, 'Difficult Run,' and 'Broad R.,' above the mouth of the Maryland 'Monokasy Cr.' is 'Kitoctank Cr.'

Historically interesting as it is, Sir William Keith's map (which though dated 1738, must have been drawn on material contemporary with that of 1731) is of much less importance. Its chief local significance is in relation to the tributaries of the Rappahannock. The map of 1731 labels the north fork 'Rappahannock R.' (perhaps for political purposes in relation to the then pending controversy as to the bounds of the Northern Neck, for Robert Carter was careful not to so designate it in the contemporary land grants); while Keith recalls for it a pre-seating designation, 'Indian River,' which is otherwise lost. Further illustrating progress of knowledge, the map of 1731 lays down the Fauquier 'Marsh Run' and 'Great Run,' but the Northern Neck maps of 1737 first add 'Carter's Run' as well as most of the minor tributaries of the North Fork which had already appeared in the land grants.

It was the Northern Neck survey of 1737 which completed the picture. On John Warner's map of that great work we find the 'Blew Ridge' pierced by 'Williams' Gap' (later known as Snicker's), 'Ashby's Bent Gap,' 'Calmes' Gap' (later known as Manassas),²⁷ and 'Happy Creek Gap' (since known as Chester's). 'Cobler Mountns' and 'Short Hills' are named as well as indicated. The Bull Run Mountains and the Rappahannock range, while not named, are both sketched in as on the map of 1731, but more correctly. Streams which appeared on the map of 1731 and on Keith's map have now assumed names and are localized, viz: 'Broad Run,' 'Cedar Run,' 'Bull

Run,' and 'Sandy Run,' draining into the Occoquan. From Happy Creek Gap flows to the south the Rappahannock of the map of 1731, but under a new name, 'R. called Hedgman.' To the north is 'Cokongoloto *anglice* Goose Creek,' flowing from both Calmes' Gap and Ashby's. On the Potomac 'Hunting Creek' here appears first on any map.

And thus the wilderness at last was explored and revealed.

NOTES TO CHAPTER ONE.

¹ *The Spanish in the Chesapeake*: For Smith's record of his Potomac explorations see Smith's Works, ed. Arber, pp. 52, 112, 348, 417. The Jesuit martyrology (Alegambe, *Mortes Illustres*, 1657, tit Segura), is accepted as evidence that the Spanish were in the Chesapeake as early as 1565, and in 1570 established a mission somewhere on its waters in the territory of a native chief, described as the 'Cacique of Axacan;' that this mission was massacred by the indians and later avenged by a punitive expedition from St. Augustine. There is no warrant, however, other than pure conjecture, for Dr. J. G. Shea's ingenious identification of 'Axacan' with Occoquan. See his entertaining paper, read before the New York Historical Society in 1872, *The Spanish Mission Colony on the Rappahannock*, printed in Beach's Indian Miscellany, 1877, and Mr. Hugh T. Taggart's somewhat labored argument for it in *Old Georgetown*, 1908.

² *The Indian Town Sites on the Potomac*: Messrs. S. V. Proudft and W. H. Holmes, of Washington, the contemporary authorities on the Potomac Indian tribes, both advise the present editor that their explorations reveal evidences of village sites at practically all points on the south shore of the Potomac where cultivable land and fishing grounds were available, but that it is not possible to define the location of Smith's villages. Mr. Holmes has, however, specifically reported (in a MS. preserved in the Bureau of Ethnology. See also Mooney, in *The American Anthropologist*, iii, 259), large finds of Indian remains at the sites we have named, and as they fit in with Smith's map, they are here tentatively identified. The real consideration is not so much where the villages were as that archeology has so nearly confirmed Smith's map.

³ For a spirited conjecture as to the antiquity of man in the Potomac valley, based on the geology of the region, see W. J. McGee, in *American Anthropologist*, ii, 245.

⁴ Among the many reproductions of Grebelin's engravings of John White's famous drawings, first published by DeBry, see those in any edition of Beverley's *History and Present State of Virginia*.

⁵ William Strachey, *Virginia Britannia*, 1618, ed. Hakluyt Society, 1849.

⁶ *Smith's Works*, ed. Arber, p. 418. In the reprint of the first part of his *Mappe of Virginia*, Smith (*Works*, ed. Arber, 348), describing the Potomac above Petomek town, says: 'Here doth the river divide

itself into three or four convenient branches. The greatest of the least is called Quiyough, trending North-West, but the river itselfe turneth north-east and is still a navigable stream." Doubtless because of the expedition up this creek, the map of 1612 puts undue emphasis on Quiyough ('the place of the gulls') or Aquia as it is now called, with curious historical consequences. See *post*, p. 602.

⁷Argall to Hawes, June, 1613, in Purchas (ed. Hakluyt Society, 1906), xix, 90.

⁸*Handbook of American Indians*, i, 796.

⁹*The origin of the Piedmont grass lands*: The discovery that grass grew spontaneously on once cultivated 'old fields' if kept clear of forest had taught the Indians to prepare prairies on a larger scale to attract their herbivorous game. When the English arrived, the deliberate burning of the forests for this purpose, which had already created the prairies of Kentucky (Shaler, *Nature and Man in America*, p. 184), was just beginning in the east. 'Virginia, between its mountains and the sea was passing through its fiery ordeal and was approaching a crisis at the time the colonists snatched the fagot from the Indian's hand. The tribes were burning everything that would burn, and it can be said with at least as much probability of Virginia as of the region west of the Alleghanies that if the discovery of America had been postponed five hundred years Virginia would have been pasture land or desert.' (Maxwell, *The Use and Abuse of Forests by Virginia Indians*, in *W. & M. Quar.*, xix, 103.) The remark of the Manahoac to John Smith that he knew not what was beyond the Blue Ridge except the sun, 'because the woods were not burnt' illustrates Mr. Maxwell's statement.

¹⁰*Smith's Works*, ed. Arber, p. 426. This chapter is credited as 'written by Anthony Bagnall, Nathanaell Powell and Anas Todkill.'

¹¹The Algonquin guide "of Wighcocomoco upon the river of Patowomek. We supposed him some Frenchman's sonne, because he had a thicke black bush beard."

¹²This hunting camp is shown on Smith's map, in the Great Fork of the Rappahannock, near the confluence of Rapidan and Hedgman's.

¹³This was Smith's name for the uppermost Algonquin tribe on the Rappahannock known in later records as 'Nansaticoes'. They lived in Essex and Caroline, below the falls.

¹⁴These were the Iroquois (*Handbook of American Indians*, i, 620).

¹⁵*Tuckahoe*: In 1662 the Assembly (Hening, ii, 140) recited its concern for 'the poore Indians whome the seating of the English hath forced from their wonted conveniences of . . . gathering tuckahoe, cuttymnions or other wild fruites by which they were wonted for a greate parte of the year to subsist.' Beverley (1705, iii, 15) supplies the translation of these mysteries. 'They make Food of another Fruit calld Cuttanimmons, the Fruit of a Kind of Arum, growing in the Marshes: They are like Boyl'd Peas or Capers to look on, but of an insipid earthy taste . . . Out of the Ground they dig Trubbs, Earth nuts, Wild Onions, and a Tuberous Root they call Tuckahoe, which, while crude, is of a very hot and virulent quality: but they can manage it so as in case of necessity to make Bread of it. . . . It grows like a Flagg in the miry Marshes having Roots of the magnitude and taste of Irish Potatoes which are easy to be dug up.' For the botany see Gore in *Smithsonian Report*, 1881, p. 687 ff.

¹⁶Mooney, *Siouan Tribes of the East*, 1894.

¹⁷See *post*, p. 202. In Mr. Jefferson's table of Virginia Indians, in-

cluded in the *Notes on Virginia*, these villages are called tribes and 'the Tanxnitania and Whokonit' are noted as residents of Fauquier.

¹⁹ Gerard Fowke, *Archeological Investigations in James and Potomac Valleys*, 1894; Bushnell, *Native Cemeteries*, 1920; both bulletins of the Bureau of Ethnology.

²⁰ Champlain's map is reproduced in O'Callaghan, *Documentary History of . . . New York*, iii, frontispiece and p. 11. See Mr. Charles E. Kemper's comment upon the Virginia portion of it in *Va. Mag.*, xxviii, 170.

²¹ *The Rickahockians*: The determination of Virginia also to displace these 'strange Indians' was the occasion for that deadliest of Indian battles in Virginia history, the memory of which is preserved at Richmond by 'Bloody Run.' It was then (1656) that Totopotomoi, the worthy successor of Powhatan, fell with an hundred warriors of the Pamunkeys and the first Col. Edward Hill was disgraced. (Burk, ii, 106; Hening, i, 403; *Hudibras*, part Two, canto ii, 421; T. M.'s *Bacon's Rebellion*.) Mr. James Mooney (*Handbook of Am. Indians*, i, 248, 430), long identified the 'Rickahockians' with the Cherokee but in 1919 recanted (in a note in Bushnell, *Native Villages*, p. 37), and accepted an identification with the Erie. What persuaded him was the assonance of the Iroquois name for the Erie 'Riquehronnons' with the Virginia word 'Rickahockians' and Lederer's description of the latter in 1670 as coming 'from some strange land by the sea to the north-West.' But it does not appear that the Erie migrated prior to their final battle with the Iroquois in the spring of 1656. (See Parkman, *Jesuits in America*, p. 438), and there is evidence for the 'Rickahockians' in Virginia in 1646 (when Fort Royal on Chickahominy Ridge was named '*alias* Rickahock.' Hening, i, 293, 315, 327) and again in 1654 (when 'Rickahockian stands' are designated on the Potomac. See *post*, p. 58). For these and other reasons, Mr. Mooney's final identification is not accepted by all Indian scholars. All that is agreed is that the Rickahockians came into Virginia from beyond the Blue Ridge.

²² *The Passing of the Manahoac*: At the Virginia Indian census of 1669 (Hening ii, 274) the Manahoac were recorded as mustering only fifty bowmen on the frontier of old Rapahannock County, which then included much of Prince William. Thereafter, they were gradually but steadily worn down, perhaps as much by their debauching contact with the Virginia frontiersmen as by the muskets of their relentless enemies of the Long House, but they were proud to the last. After wanderings which took them into Carolina, they established themselves on Toteroto island in the Roanoke above the Occaneechi and so were included in Bacon's massacre in May, 1676 (*W. & M. Quar.*, ix, 1). In 1681 they were dispossessed from Toteroto by the Iroquois. (Spencer's dispatch to Lord Culpeper, June, 1681, *Cal. Am. & W. I.*, 1681-85, No. 185, p. 93). Col Byrd records a tradition of an incident in this contest: 'There is a Cave in this Island in which the last Toteroto King, with only 2 of his men, defended himself against a great host of Northern Indians & at last obliged them to retire.' (*Journey to Eden*, ed. Bassett, p. 290). Thereafter, they were scattered about Southside Virginia, until Spotswood herded them, under the name Saponys, at Fort Christanna in 1714 (*Spotswood Letters*, ii, 58, 197). There, according to Col. Byrd (*The Dividing Line*, ed. Bassett, p. 246) the daughter of the last king poisoned herself from distress at the degradation of her people.

At last the remnants of our piedmont aborigines drifted north. In 1753 they were formally absorbed and adopted by their racial enemies, the Cayugas, at the very moment Virginians were completing the occu-

pation of their native soil. In 1870 an ethnologist sought out and found in Canada the last of the Manahoac, a merry old man named Mosquito. He still spoke his inherited Siouan tongue and he claimed to be the true owner of his tribal lands in Virginia, of the blue grass pastures of old Prince William.

²² *Lederer*: Thomas Glover in his *Account of Virginia*, which was printed in the Philosophical Transactions of the Royal Society, June 20, 1676 (See the Oxford reprint, 1904), testified that 'about five years since there was a German Chirurgeon who obtained a Commission from Sr. Will. Bartlet to travel to the South-West of Virginia, and to make discovery of those parts: He went along the foot of the Mountains as far as the Lake of Usherre and discovered them to be passable in two places.' Apart from this all we know of Lederer is recorded in 'The Discoveries of John Lederer in three several Marches from Virginia to the west of Carolina and other parts of the Continent. Beginning March, 1669, and ended in September, 1670, Together with a General Map of the Whole Territory which he traversed. Collected and Translated out of Latine from his Discourse and Writings, by Sir William Talbot, Baronet . . . London . . . 1672.' Reprint, Rochester, N. Y., 1902. For a judicious critique of this book, see Alvord and Bidgood, *First Explorations* (1912).

²³ In 1618 Strachey had estimated Virginia to extend 'from east to west (in the narrowest place) supposed some three hundred myles, and in other places one thousand.' Beverley, writing in 1704, describes the bounds of Virginia 'on the west and north by the Californian Sea, whenever the settlements shall be extended so far.'

²⁴ *John Catlett* migrated to Virginia about 1650 from Sittingborne parish, co. Kent, seated himself on the south side of the Rappahannock and gave the name of his native place to the parish there organized. He was a leading man on the frontier, after 1665 presiding justice of old Rappahannock County. Soon after he returned from the expedition with Lederer he was killed by Indians while serving against them with militia. Thomas Glover, writing prior to June, 1676, (See above, note 22), confirms Lederer's statement that Catlett was one of the first to mount the Blue Ridge. He says: 'There was one Colonel Catlet, that was a good Mathematician, who with some other Gentlemen took a Journey to make some further discoveries of the Country to the Westward, and arriving at the foot of the Mountains early in the morning, they left their horses, and endeavored to gain the tops of the Mountains, which they accomplished about four of the Clock in the afternoon, and then looking further forward they discovered other Mountains, whereof they took the altitude and judged them inaccessible; which discouraged them from any further attempts, their design being chiefly to discover whether there were any Rivers that ran into the South-ocean.' Catlett left many descendants in Virginia, among them President Madison (*Va. Mag.*, iii, 62). In view of his early explorations of the territory, it is altogether fitting that his family name should be preserved on the map of Old Prince William as it is by a railroad station in Fauquier.

²⁵ *Robert Taliaferro* also was the first of a name well known in northern Virginia. In partnership with Col. Laurence Smith, who appears frequently in the records as a frontier soldier, Taliaferro patented lands in Gloucester and Rappahannock and was living on the latter in 1670, some distance up stream from Col. Calett. He died in 1682, leaving several sons, one of whom, Robert, married a daughter of Catlett, and another, John, 'of Snow Creek,' married a daughter of Laurence Smith (*W. & M. Quar.*, xx, 210 ff., 267, 269).

²⁶ *Cal. Am. & W. I.*, 1677-80, No. 744, p. 268.

²⁷ Colden, *Five Nations*.

²⁸ See *post*, p. 607.

²⁹ These doubtless are Mt. Pony, Cedar Mt., Thoroughfare Mt. and Lost Mt.

³⁰ In 1706 (C. O., 5: 1315). This John (see *ante*., note 25) died in 1720. It was his son of the same name who testified for Col. Byrd in 1736 and was one of the original trustees of Fredericksburg (*Westover MSS.*, ed. Wynne, ii, 99).

³¹ Colden, *Five Nations*.

³² See *post*, p. 80.

³³ See the affidavits of 1736 in *Westover MSS.*, ed. Wynne, ii, 99.

³⁴ *Journals H. B.*, 1712-26, p. 298; first printed in Beverley's *Abridgment*, (1722) p. 163.

³⁵ The proof of this is the delay in seating the piedmont. Francis Makemie (*Va. Mag.*, iv, 257) knew, as early as 1705, that 'the best, richest and most healthy part of your country is yet to be inhabited above the falls of every river to the mountains'; and Joshua Fry's testimony (C. O., 5: 1327, p. 363) is explicit that prior to 1721 'there were few Inhabitants above the Falls of the Rivers.' This enables us to appreciate Beverley's contemporary picture of the Blue Ridge as an horizon of mystery, distant mountains known to the average planter only because they 'shew themselves over the tops of the trees.'

³⁶ See *post*, p. 87.

³⁷ *Manassas Gap*, at which a Virginia railroad first crossed the Blue Ridge, is recorded on Warner's map of 1737 as 'Calmes's Gap.' Thence that name was transferred to Lord Fairfax's small printed maps of 1738 and 1745. This undoubtedly marked an otherwise unrecorded intermediate station of the migration of the Huguenot 'Marquis Calmes' from Aquia Creek to the Valley (See *post*, p. 196). But both the maps cited showed also 'Manassas Run' flowing westward into the Shenandoah River. After the departure of Calmes, that biblical name was locally assigned also to the gap in which it had its source, and so it is marked on Thomas Jefferson's map of 1787.

CHAPTER TWO

The Planting of the Northern Neck

FOR fifteen years after Smith's explorations, the Jamestown colony kept in touch, almost in alliance, with the indians of the Potomac River in order to trade for their corn. It was thus that the town of Petomek was the scene of some of the most vivid of the early adventures of the colony. There young Harry Spelman¹ lived a crowded year among the natives; there Capt. Argall kidnapped Pocahontas;² there Raleigh Crashaw³ built a fort, and, dreaming of the achievements of Cortez, devised statesmanlike plans for cheap conquest of the country by setting the indians at logger heads among themselves; there Ralph Hamor made an alliance with King Japazaws against Opechancanough, which Isaac Madison⁴ violated in a sudden reflex of the passions aroused by the massacre of 1622. Although George Sandys subsequently renewed Hamor's treaty with the Potomacs, Madison's unhappy outrage had definitely ended all confidence in Jamestown by the Potomac tribes.

The searchlight of history then shifted for a season to the other shore of Potomac. In 1623 a bloody affray with the Piscataways⁵ on the eastern shore of the Anacostia River (Eastern Branch) within the later limits of the District of Columbia, cost the Virginia colony the valuable life of Spelman, but, in compensation, began the qualification of his successor as indian interpreter and trader. Although Governor Wyatt duly revenged this affront, Henry Fleet,⁶ who had been captured, lived among the Piscataways for the ensuing five years and so gained the experience which induced him to return to the neighborhood as a trader. Thus it was that in 1634 Leonard Calvert found Fleet at home among the indians on the bluff opposite the future site of Mt. Vernon.⁷

When Maryland was founded, Virginia had not extended her settlements north of York River. That estuary was, indeed, recognised as a political boundary as late as October, 1646, in

the treaty of peace and amity made with the Powhatan nation after the death of Opechancanough.⁹ The Northern Neck was thus indian territory and practically outside the jurisdiction of Virginia during all the early years of St. Mary's; and the interesting fact is that the history of its occupation by Englishmen begins in relation to Maryland rather than to Virginia. The date is uncertain. All that the records reveal in the way of an A. U. C. is that in 1644 a band of white men, hostile to, but keenly interested in Maryland, were living among the Chicacoan tribe on the west shore of the Potomac, opposite St. Mary's. The proven relation of these adventurers to William Claiborne and his disappointed ambitions suggests, indeed, that they may have been some of the indian traders whom Leonard Calvert ousted from Kent Island in 1638, but there is no proof for such a significant identification. The fact that after Ingle's Rebellion these men were joined by a number of recalcitrant Marylanders is, however, enough to prove that, like Rome, the Northern Neck community was founded by refugees.⁹

Being remote from Jamestown and intent on 'self-determination,' these pioneers did not for several years acknowledge any government; indeed, Capt. Edward Hill wrote letters from 'Chicacoan' which spoke of 'returning to Virginia.'¹⁰ Under such conditions, 'Coan,' as the name was soon abbreviated, became a nuisance both to Maryland and Virginia, and eventually and necessarily had to be 'reduced' by the Virginia government. As part of this discipline, the entire Northern Neck was, in 1648, erected into the county of Northumberland.¹¹

Many of the emigrants to Virginia during the Commonwealth found their resting places in this new county. There they were joined from across the Potomac by a steady stream of men who were individually more important than the earliest refugees.¹² After 1649, as shown by the land patents, the population increased rapidly. Plantations were established on the low grounds of both Potomac and Rappahannock, ranking progressively up stream, but so narrow was the peninsula that they lay back to back, separated only by the drainage ridge, which the land patents called 'the forest.'

The seatings so made, at first strung far apart, eventually reached and swallowed the villages of the Potomac indians as far north as Petomek town itself. Despite the good intentions of the Assembly,¹³ the resulting indian relations were necessarily degrading to all concerned. In their land hunger some of the planters honourably bought out the native titles¹⁴ to complement their Virginia patents, but others resorted to chicane and violence, making excuse of the petty thieving to which the unfortunate aborigines were now reduced.¹⁵ This could not and did not last long: by 1665 the native Potomac tribe had sold to the government, for a few match coats, whatever rights were left them.¹⁶ When the Virginia indians were enumerated in 1669 and again, in 1677, when a new treaty was made with all the tributaries, although the neighbouring Rappahannocks ('Nansaticoes, Nanzemunds, and Portabacchoes') were included in both, the once more powerful nation of the Potomacs was not mentioned. They had completely disappeared, no one now knows how or where.¹⁷

NOTES TO CHAPTER TWO.

¹³ See his *Relation of Virginea* in Arber's ed. Smith's Works, p. ci, and (in part) in Brown, *Genesis*, i, 483.

¹⁴ Argall to N. Hawes, June, 1613, in Purchas (ed., Hakluyt Society, 1906), xix, 90; *Smith's Works*, ed. Arber, 511.

¹⁵ *Smith's Works*, ed. Arber, 586, 593.

¹⁶ *Ibid.*, 596.

¹⁷ *Smith's Works*, ed. Arber, 592, 606; Stith, 303; Brown, *First Republic*, 507. These were Smith's friends, the Nacotchtanks. Wyatt called them 'Piscaticons.' The Maryland Jesuits, in their annual letter of 1640 (of which a translation is included with the Md. Hist. Soc. edition of the *Relatio Itineris*), first latinized Smith's name for them into Anacostan, whence it has become Anacostia. The site of one of their villages has been established, from a wealth of artifacts remaining *in situ*, near the modern Benning. (S. V. Proudfit in *Proceedings Columbia Hist. Soc.*, 1921.)

¹⁸ His valuable *Journal* was preserved among the Lambeth MS. and is printed in Neill, *Founders of Maryland*, 1876. For Fleet see also *Va. Mag.*, ii, 70, v, 253; and Streeter, in *Maryland Historical Society Fund Publication No. 9* (1876), p. 65.

¹⁹ See the Maryland classic, Father White's *Relatio Itineris*, 1634, ed. Md. Hist. Soc., 1874.

²⁰ Hening, i, 323, 353.

* *Chicacoan*: The earliest reference to the Chicacoan colony is in Conway Robinson's note from the Virginia Council Journal of June, 1643 (*Va. Mag.*, viii, 69; and *cf.* Hening, i, 294). This is confirmed by Maryland records relating to the spring and autumn of 1644 (*Md. Archives* iv, 268, 458). John Mottrom, the Marylander who first represented Chicacoan and later Northumberland in the Virginia Assembly, was described as living 'at York,' in 1642 (*Md. Archives*, iv, 269), but at Chicacoan after 1645 (*ibid.*, iv, 525; iii, 175, 177).

The secondary authorities on the settlement are Bozman, *History of Maryland*, ii, 312, 637 and Dr. Tyler, in *W. & M. Quar.*, iv, 28; xxiii, 182.

³⁰ For Capt. Hill, the founder of the 'Shirley' family, see *Va. Mag.*, iii, 156, xxiii, 249.

³¹ Hening, i, 337, 352.

³² *W. & M. Quar.*, iv, 28; xv, 175. The Maryland element in the Westmoreland population emphasized the natural characteristic of the neighbourhood which was a maintenance of the difference from old Virginia in which it had its origin. The planters kept in so much closer touch with London and Bristol than with Jamestown as to give colour to Dr. Tyler's description of the Westmoreland of a later date as a 'suburb' of those cities.

Hugh Jones had already made the point (*Present State*, 1724, p. 34): 'any Thing may be delivered to a Gentleman there from London, Bristol, &c with less trouble and cost than to one living five Miles in the Countrey in England: for you pay no freight for Goods from London and but little from Bristol: only the Party to whom the Goods belong is in Gratitude engaged to freight Tobacco upon the Ship consigned to her Owners in England.'

³³ Cf. the acts of 1658, Hening, i, 467, 481.

³⁴ Hening, ii, 154, referring to the purchase in 1662 by Henry Meese and Peter Austin from 'Wahangonoché, King of the Potomac Indians.'

³⁵ *W. & M. Quar.*, viii, 23, quoting Westmoreland records of 1658; Hening ii, 149, 150, 154, referring to the discipline, in 1662, of the Westmoreland justices, Giles Brent, Gerard Fowke (*Cf. N. N.*, i:12), John Lord and George Mason for their 'affronts' to the helpless Wahangonoché. The Assembly then found it necessary to pass a new general law (Hening, ii, 138), for the protection of neighbour Indians. The recitals of this act are a mirror of the degradations incident to propinquity with the natives.

³⁶ An act of October, 1665 (Hening, ii, 220), provides for a general levy for 'the sale of the King of Potomack's land.' It is of local interest that when the colony sold out the lands so purchased the proceeds were applied in the construction of the 1667 fort at Point Comfort.

³⁷ *The Passing of the Potomacs*: The enumeration of 1669 is in Hening, ii, 274; the treaty of 1677, in *Va. Mag.*, xiv, 289. See also the list of Virginia Indians in the customs report of 1702 (*Va. Mag.*, i, 363), and in Beverley (1705), iii, 62. In 1679 (Hening, ii, 438) it was necessary to hire Maryland scouts 'because there is noe neighbouring Indians on Virginia side resideing near the garrison on Potowmack river.' The late James Mooney was of opinion that, like the remnants of the other 'Machotic' tribes, the last Potomacs merged with the Pamunkeys and are represented today by the mixed blood tribe living on the reservation in King William County.

CHAPTER THREE

"The Country Call'd There the Doeges"

WHEN Virginia expanded above Potomac Creek into the 'freshes' of the great river it was to enter upon what Lord Baltimore knew as the land of the Doegs.¹

With Capt. John Smith we have already met these people, whose name is of evil omen in Virginia history. They were a sept of the Algonquin Nanticokes of the eastern shore of Maryland, who, before Smith's day, had intruded themselves westward to the Potomac River and joined the Powhatan confederacy.² They seem to have divided into two bands, one living in Maryland on Maryland Point,³ and the other, more numerous, in Virginia. There they occupied the river shore from Chipawansic up at least as high as the Fairfax stream they called Epsewassen, but, which, after an essay as 'Hopkins' Creek,' the English named for them, Dogue Run; and there is similar evidence that they spread still further west to the Rappahannock.⁴ Smith had placed their 'King's howse,' as we have seen, on the south shore of the estuary of the Occoquan, but when the Virginians arrived they found the principal settlement on what is now known as Mason's Neck. The Doegs themselves called this landmark 'Myampses,' but, while recording that name, the patents promptly dubbed it the 'Dogg's Island.'⁵

Virginia began the appropriation of these lands in 1651, and ranged through them promptly. The testimony of the records⁶ is that before 1657 English titles had been recorded in respect to the entire river front of old Prince William from the 'island' of Chipawansic to and including the neck later known as Mt. Vernon. This did not by any means imply an immediate spread of English population over that area, nor even, for the moment, disturbance of the native population; it was rather speculative exploration by those who were able to command the capital necessary to buy up head rights at wholesale. As a consequence, the first dividends here recorded were in what, at the time, were large units, from 500 to 3,000 acres. The names of

the patentees prove that before the Susquehannock war this was deemed the land of opportunity for all Virginia; for, while many of them may be identified as already seated on the lower reaches of the Potomac in Gloucester, Northumberland and Westmoreland, there came also James River men. The array of burgesses and councillors on this first land map of old Prince William makes it read, indeed, almost like a Virginia 'Who's Who' of the period.

There is no evidence that the Virginians made any effort to buy out the Doeg title to the lands in the freshes. They never established even such relations with that nation as they had with the Potomacs, but held them at arm's length and warned the Potomacs against having anything to do with them. The reason for this treatment seems to have been that, the Doegs were classed as Maryland indians and never became Virginia tributaries; from Virginia's point of view, they were 'bad' indians—treacherous thieves, liars and murderers.⁷ The Maryland colonists were protected from their depredations by their close affiliation with the Piscataways, but this limitation of their characteristic activities undoubtedly sharpened the appetites of the Doegs to prey upon Virginia. Their lack of effective resistance during the Susquehannock war, when their title was finally expropriated by conquest, is evidence, however, that they were then a weak nation. If they had had any offensive strength when the Virginians arrived, they withered in the contact. Doubtless, Sir William Berkeley referred to them, among others, when, in 1671, unconscious of a storm brewing in the north, he testified that 'the Indians, our neighbours, are absolutely subjected so that there is no fear of them.'⁸

The descriptions of the dividends reveal the makers of the map in the freshes sailing up stream. Their first landmarks were the creeks, and these they indicated numerically above Chipawansic until they could call them by such variable corruptions of aboriginal village names as an untrained English ear could echo from a Doeg mouth and an English pen could transcribe.⁹ But what stands out most clearly is a uniform point of departure from 'Capt. Brent's.'

Giles Brent, of an ancient Catholic family of Somersetshire, emigrated to the proprietary of his kinsman, Lord Baltimore, in 1637 and there, during the ensuing eight years, served various provincial offices, Commander of Kent Island, Treasurer, Deputy Governor, and Chief Justice. When the young daughter of the Emperor of Piscataway became a Christian she was committed to the care of Brent's sister, Margaret, for education, and ultimately he married her. Thereafter, in her right, he laid claim 'to the most part of Maryland'¹⁰ and so fell into contentious, but futile, disputes with Lord Baltimore. For this reason, and perhaps also because he was weary of the bickerings of the Puritans in Maryland, he crossed the Potomac and buried himself, with his indian bride, in the wilderness. This must have been about 1646 for Brent's record of activities in Maryland ends with that date, while, in Virginia, it begins in 1647.¹¹ His place of refuge from the world was on the north shore of Aquia Creek at its mouth, and there he built a house which, with agreeable humour, he called 'Peace.' Giles Brent thus became not only the 'first citizen' of the Potomac 'freshes,' but the northernmost English resident of Virginia. He may, indeed, for a moment, have believed himself to be still in Maryland, for Lord Baltimore's map of his province, published in 1635, included all that part of Virginia north of Aquia, on the supposition that Smith's 'Quiyough,' (or 'Oquij' as it appears in the earliest land grants) was that 'first fountain' of the Potomac which was to determine Baltimore's western boundary;¹² but by 1651, when the Virginia settlements had begun to reach up the Potomac, Brent threw in his lot with them and took out Virginia patents for his lands.¹³ Thus it was that he soon had the privilege of entertaining English visitors. The unintentional testimony of the patents is that those Virginians who passed by the seatings in what was to become the Westmoreland community and sailed on up the Potomac, all stopped at 'Peace' for refreshment and information.

The earliest titles these men asserted were on the estuary of the Occoquan, but before rehearsing them we pause to note some of those who, only a little later, made the map below. Chipawansic was named in 1653,¹⁴ when Peter Knight and

Baker Cutts of Gloucester declared it to be the northern boundary of a dividend of 1850 acres. In 1654 there appeared above it, and so within the future limits of old Prince William, a group which included two burgesses, James Goodwin of York, and Peter Ashton, recently of Elizabeth City but now an original Chotanker. With them came Nathaniel Pope, originally a Bristol man, who had recently left Maryland to establish his residence on Mattox Creek; and Walter Broadhurst of Nomini, another former Marylander, who, at the last session of the Assembly, as burgess for Northumberland, had procured the erection of the upper lands into the county of Westmoreland.¹⁵ Hither came also an even better known Virginia worthy—no less a person than the Samuel Matthews of Warwick, who was to be Governor of the colony from 1658 until his death in 1660. On November 23, 1657, he took out a patent for 5,211 acres, lying on the river immediately above Chipawansic, thereby creating a boundary which eventually was to vest in 'King' Carter.¹⁶ On March 3, 1657/8, George Reade of York, Matthews' colleague in the Council, had a dividend adjoining but above him, which reached to and included the south shore of Quantico.¹⁷

This last named creek had also been named in 1653, when Richard Hawkins took a dividend above it.¹⁸ The most interesting name in the Quantico neck appears, however, in 1655, when 2,000 acres were taken up by the Walloon Nicholas Marteau,¹⁹ father-in-law of the George Reade already mentioned, and an associate of Matthews in the 'thrusting out' of Governor Harvey in 1635. He was now sixty-four years of age, had been in the colony since 1620, and had served in the Assembly as the first representative of York. Above Marteau there were other scattering seatings until, in 1657, Christopher Harris crowns that precinct with his dividend on the south shore of 'Yosockescomo.'²⁰ Beyond lay the previously vested Occoquan dividends.

All the land books of old Prince William should begin with an invocation *absit omen*, for the very first title to be set up in the territory was that of one who later had the honour to be hanged by Governor Berkeley. Richard Turney of Chotank

was to be one of the victims of Bacon's Rebellion, but in the spring of 1651 he was as unconscious of 'horrid treasons' as he was of his destiny. He then sailed up the Potomac above Capt. Brent's until he saw the young corn fields of the Doegs, separated from the mainland by swamp, on what was, and still is, the most outstanding neck of land in all the freshes. He made his way promptly to the Secretary's office at Jamestown with a claim which matured on July 8, 1651, in a patent for 2,109 (later enlarged to 3,609) acres, described as in Northumberland and 'commonly called or known by the name of the Dogg's Island.'²¹ Two years later, in October, 1653, Thomas Speke of Nomini, who had sat as a burgess for Northumberland and was now the presiding justice of Westmoreland, claimed 1,000 acres by no more specific description than 'on Potomeck River opposite against the Meompses Island;' but in later patents this dividend is identified as 'above the Doeg's Island' and reference is made to 'Colo. Speake's poynt' on a 'great creek' called 'Doeg's Island Creek,' [Gunston Cove] into which empty two branches, one the 'West or North West branch,' [Pohick] and the other the 'Main branch' [Accotink]. Passing to the second George Mason, who consolidated it with the adjacent Doeg's Island dividend, this notable estate included the sites of both the 'Pohick' residence of the purchaser and the 'Gunston Hall' of his grandson.²²

A few months ahead of Speke, Corbet Piddel, John Jenkins and Gervais Dodson took up a series of dividends on the north shore of the Occoquan, to which they assigned the name of 'Western Branch' of the Potomac, thus early testifying to the relative importance of this estuary, and distinguishing it from the Anacostia River which is still known as the Eastern Branch.²³ These boundaries, located as west of and adjoining the Doeg's Island and, by later descriptions, found to adjoin Speke also, included the future site of Colchester. They were immediately acquired by John Drayton and from him passed to the locally well known family of Baxter.²⁴ Above Drayton and including the future site of the Occoquan warehouse and the Carters' 'copper mine landing,' Miles Cary of Warwick, then a burgess and later of the Council, took up 3,000 acres by a patent

dated October 5, 1654;⁹⁵ and three years later Henry Vincent of Machotic completed the north shore map with a claim of 500 acres above Cary, 'something above half a mile below the falls of Aquacond river, called the Western branch.'⁹⁶ Contemporaneously, the south shore was likewise preempted. In 1653 Thomas Burbage of Nansemond entered for 3,000 acres 'above Capt. Brent's' and 'between two main branches of the river,' which proved to be the neck formed by Neapsco and the Occoquan.⁹⁷ From this dividend was, however, excepted the point of the neck where, in 1654, Robert Heaberd (or Hebbard), the founder of a family later conspicuous in the Stafford records, reserved 400 acres, describing it as adjoining Burbage and known as the 'Raggett or Sandy Poynt opposite the Dauges present seat.'⁹⁸ The Burbage description was, indeed, the key to all the land titles in this vicinity. It named Freestone Point as a southern limit, and so included that 'Burbage's Neck' between Neapsco and Morumsco on which Martin Scarlett lived at the end of the century; but Freestone Point itself was included in the neck next below Burbage, constituting the dividend of 2,000 acres between Neapsco and Yosocomico, for which Gervais Dodson had, in 1658, the patent which was the foundation of the title to 'Leesylvania.'⁹⁹ Next west of Burbage on the Occoquan shore another dividend of 3,000 acres was patented by a Welshman, Nicholas Merriweather, Clerk of Surry and founder of a family later conspicuous in the 'winning of the west.'¹⁰⁰ Above him, in the same year, 1654, Humphrey Higginson of James City, a member of the Council, and Abraham Moone of Isle of Wight, took up together 2,000 acres across the water from Miles Cary;¹⁰¹ and above them, opposite to Vincent, Thomas Hill of 'Essex Lodge' in York had in 1657 500 acres 'on the Southwest side of Aquacond river about one half mile below the falls.'¹⁰²

The Speke dividend, like Burbage's, became a key to the land map above it. In the summer of 1657 there issued nine patents aggregating 6,100 acres, all of which were described with reference only to one another as on two creeks, specified as 'above Colo. Speake's point.' These patents (plus the claims to which some of them refer which were not otherwise recorded)

represent the earliest appropriation of the lands on the lower reaches of the streams later distinguished as Pohick and Accotink.⁸³ It is possible to identify the future holdings of the McCartys and the site of the Pohick Warehouse as included in the dividends of James Goodwin immediately above the mouth of Pohick Run, and of John Gosnell and Nicholas Jernew of Machotic (later Matthew Kemp of Gloucester) immediately below the mouth of Accotink;⁸⁴ but as to the others, the descriptions, cross-references and repatents, are so vague that the student, lacking other records, is lost in conjecture. These patents are of interest, however, as indicating that 'above Colo. Speake' we pass out of the area of the interests of the magnates and come among such smaller men as, with some exceptions, we are to meet above the Piscataway narrows.

Next above Accotink are the two necks, separated by Dogue Run, which, in the middle of the eighteenth century, were called respectively Belvoir and Mt. Vernon, and soon thereafter became the theatre of the adolescent activities of the father of his country. Both were covered by a number of comparatively small patents long before the names of Fairfax and Washington were there known.

Of Belvoir, the first recognisable dividend was of 1,000 acres to William Wildy, in January, 1657/8,⁸⁵ described as 'on the westward side of a creek in Petomack freshes, by him called Hopkins' Creek,' i. e., Dogue Creek.⁸⁶ The recitals of subsequent patents indicate that this claim passed to, and was subdivided by, William Dudley of Mobjack Bay, who, like Turney, was to be implicated with Bacon, but, more fortunate, escaped to die a free man, after imprisonment and the fine of '15 hhds. tobo.'⁸⁷

The river front of Dudley's holding was included in a repatent of 1678 to John Wells and Thomas Derrick, which called for 363 acres on 'the southwest side of Dog's Creek and the northeast side of Mr. Green's land.'⁸⁸ The mention of 'Mr. Green' refers to the lower side of the neck. The earliest patent here must have been one of those of 1657, described as 'above Colo. Speake's,' but there is no description which may be identified with certainty until October, 1669, when William Green

of Aquia had a repatent of 1,150 acres, described as beginning on the river front 'at the Northeast poynt of Pohick Creek,' thereby indicating the landfall later known as Rankin's Point, and, when the British bombarded it in 1814, as 'the White-house.'³⁹ In July, 1670, John James of Norfolk,⁴⁰ had a repatent of another unidentified earlier dividend of 500 acres which he described as on the northeast side of 'Poehick Creeke' between William Green and that Richard Normansell, who, in 1666, had described his 2,550 acres of upland as on both sides 'the main run of Pohick Creek,' meaning the stream later known as Accotink.⁴¹ All of these titles were purchased by William Fairfax between 1738 and 1741 and by him for the first time were consolidated.

The earliest dividends in the Mt. Vernon neck were those of Robert Castleton and the Henry Vincent of Machotic we have already met on Occoquan, both surveyed in the summer of 1657.⁴² Together they appropriated the entire water front between Dogue Run and Little Hunting Creek. The first, dated July 15, 1657, was for 1,000 acres, described as

'in Petomack freshes on the north east side of a creek below Piscattaway but on the opposite side the River Petomack, bounding southeasterly upon the said River, southwesterly upon a creek by him called Hopkins' Creek, running northwesterly from the River 640 poles into the woods and northeasterly from the said creek 250 poles toward the land surveyed for Mr. Henry Vincent.'

The second, thus referred to, was dated September 16, 1657, and called for 650 acres, described as

'in Petomack freshes opposite (but something below) Pascattaway Creek upon the lower side of a small creek,'⁴³ bounding southeasterly upon Petomack River, northeasterly upon the said small creek, which we suppose divides from the land of Captain Brent or his son or sister, and running 320 poles northwesterly from the river and 325 poles from the said creek, making a quadrangle figure including the said quantity.'

In the autumn of 1660, just after the proclamation of the Restoration in Virginia, these titles appear again in the ownership of more important men. A note upon the original record

testifies that Vincent's dividend was regranted 'to Captain Peter Jennings by order of the Governor and Council, dated the 17th of October, 1660,' and a new patent issued accordingly.⁴⁴ On November 26, 1660, Castleton's dividend likewise was included in a new patent to 'Col. Richard Lee, Esq., Counsellor of State.' With other lands elsewhere, this Lee patent called for a total of 4,000 acres in three parcels, for which were returned as head rights 'eighty negroes.'⁴⁵ It does not appear what subsequently became of the Jennings title, but that of Lee was devised, by his will dated February 16, 1663/4, to his five younger children, and is mentioned again in the will of the second Richard Lee, dated March 3, 1714/15.⁴⁶

Meanwhile an entirely new chain of title to both these dividends had been inaugurated.⁴⁷ On April 27, 1669, John Alexander of Chotank 'survey'd for Coll. Nicholas Spencer and Lieut. Coll. John Washington five thousand acres of land, lying upon the freshes of Potomack river,' and on March 1, 1674/5 'The Owners and Proprietors of all that Tract and Territory of Land in Virginia in America mentioned in his Majesty's Letters patent under the Broad Seale of England bearing date the eighth day of May in the one and twentieth year of his now Majesty's reign,' granted to Messrs. Spencer and Washington the land embraced in Alexander's survey. The grant described the premises as 'in the County of Stafford in the freshes of Potomeck river and near opposite the Piscatoway Indian town in Mariland.' This was specified as separated on the north from 'the Land of Captn. Giles Brent' by 'a creek called by the English Little Hunting Creek,' and on the South from the 'land Surveyed for Mr. Wm. Green, Mr. Wm. Dudley and others' by 'a Creek named and called by the Indianis Epsewassen Creek.' In 1677, after Lord Culpeper became Governor, Spencer and Washington secured from the Council authority for the issue to them of a Virginia patent covering the same lands. In the interval they had frozen out the Lee and Jennings claims.

This new title is of much more than individual significance. The bare record which has been recited opens a window upon a significant chapter of colonial politics which had far reaching consequences to the proprietors of the Northern Neck. The

proprietary charter of 1669, here recited, contained a saving clause to protect all titles created by the Virginia government prior to Michaelmas, 1661, provided the claimant under the head right was 'in the actual possession' of the land on May 8, 1669; but it is apparent that this did not protect the Lee and Jennings claims for even before the charter of 1669 had been sealed those claims were challenged by the Alexander survey on the ground that their titles had never been perfected within the terms of the head right patents. There must have been litigation on this question between Spencer and Washington on the one hand and Lee and Jennings on the other, which lasted several years, in which Lee had proved himself strong enough in the General Court to prevent the issue of a new patent to Spencer and Washington under their survey of April, 1669. When, in this situation, Spencer's kinsman, Lord Culpeper, became the managing partner of the Northern Neck proprietary, and it could be represented to him that Lee was one of the most vigorous of the local opponents to the establishment of that jurisdiction, Spencer was enabled to secure the grant of 1675 and play it as a trump card. Lee was, indeed, effectively checkmated by this move, but it is apparent also that as late as 1677 Spencer and Washington themselves had little confidence that their Northern Neck grant was more than a gesture or else they would not have sought a confirmatory patent as soon as their interest became dominant in the Council.

How deep an impression the grant of 1675 made upon the Lee family was demonstrated in 1695 to the enduring advantage of the Northern Neck proprietors; for it was the second Richard Lee who, according to Beverley, accomplished the local recognition of the proprietary by setting an example to his Westmoreland neighbours in attorning to the fifth Lord Fairfax.

NOTES TO CHAPTER THREE

¹ See Lord Baltimore's letter of August 26, 1651, in *Md. Archives*, i, 332, discussed *post*, p. 602. It may be noted that the *Handbook Am. Indians* (i, 820) associates the Doegs with the lower group of villages around Petomek under the general designation 'Matchotic,' but the contemporary records of their ousting seem to distinguish them from the Potomacs as definitely as did Capt. Smith and Lord Baltimore.

² *The origin of the Doegs*: Lederer says that the Siouan tribes of the Virginia piedmont told him that that region was 'formerly possessed by the Tacci, *alias* Dogi, but they are extinct.' Although the *Handbook of American Indians* says that these original possessors of the piedmont 'were apparently distinct from the Doeg (Nanticoke)' the alternate names Lederer gives them are curiously similar to the alternate names Smith gave the Doegs (Taux *alias* Toags) and it may be that Lederer was repeating a tradition of the migration of the Nanticoke through the piedmont from the west.

It may be noted also that Parson Morgan Jones gives the name 'Doegs' to those indians he met in 1660 while among the Tuscaroras in North Carolina, with whom he believed that he had conversed in Welsh (Burk, *History of Virginia*, iii, 84).

³ The Doegs were included in the Maryland treaty of 1666 with the Piscataway confederacy (printed in Scharf, *History of Maryland*, i, 290). Although they do not appear in Maryland on either Smith's or Herrman's maps, Bozman's judgment (*History of Maryland*, i, 119 ii, 424) that they had a village on Maryland Point is confirmed by a provision for their lands there, made by the Maryland Council in 1668 (*Md. Archives*, v, 34). It is possible that the Pamacocock shown on Smith's map in Maryland, being the same name given one of the Doeg villages in Virginia, is Smith's testimony to the fact, for the will of the fourth George Mason (1773, Rowland, ii, 462) describes his lands in Maryland between Chuckamuxon and Mattawoman creeks as 'called Stump Neck, formerly called Dogues Neck.'

⁴ A dividend of 1664 (*Patents*, 4: 38) refers to 'a small creek that falls into Rappahannock River near the Doeg's Town' and another (*Patents*, 4:611) names this 'the Doeg's Creek.' The site of this town is marked 'Doog Indians' on Herrman's map (1673) and the stream is still called Dogue Run in King George.

⁵ For Myampses see *Patents*, 3:68. The grants of 1654 for Raggett Point below the mouth of Occaquan (*Patents*, 3:284; 4: 103) identify that landfall as 'opposite the Dogues' present seat.' Robert Brooke's Potomac map of 1737, shows an island in Occaquan Bay, which had then been cut off from what is now called Mason's Neck and has since entirely silted away. Brooke designates this with the legend, 'Doag Island, once an Indian habitation in Occaquan Bay, now little of it left.'

⁶ i. e. the Land Patent Books.

⁷ See the minutes of the Westmoreland court in 1658, in *W. & M. Quar.*, xv, 179, and Hening, ii, 193.

⁸ Hening, ii, 513.

⁹ *The Prince William creek names*: Four early patents introduce them all, viz.: in 1653 (*Patents*, 3:17) Occaquan is described as 'a creek, above Capt. Brent's about fifteen mile, called Aquoconde;' in

1657 (*Patents*, 4:208) Neabsco appears as 'a creek opposite Chingomuxon, being the next creek below the Western Branch called Aquacond, or the third creek above Chapawansick,' and in 1658 (*Patents*, 4:333) Powell's is specified as 'a creek by some called Yeocococomico, being a fair navigable creek, the second creek above Chapawansick or the next Quanticott.' Morumsco, which had not been deemed a creek in the numerical specifications, was first recorded by name in 1692 (*N. N.*, 1:150). All these indian names seem to be designations of villages, having reference to characteristic natural features of the sites, viz.:

Chipawansic, 'by the separation of the outlet.' A delta, locally called an island, still divides the two mouths of the stream.

Quantic, 'by the long stream.' The history of Dumfries proves that this description was once even more appropriate than it is today.

Yosocomico (alias Powell's), 'in the middle of the enclosure.' This suggests a Doeg fort. With various spellings, the indian name is recorded in seven patents from 1657 to 1677. Being a mouthful, and growing more complicated in the effort to distinguish it from the 'Yocomico' in Northumberland (e. g., in *Patents*, 6: 196, it had developed into 'Yosockecomocoe') the English name, 'Powell's,' was substituted before the Northern Neck books were opened; for there it appears in a grant of 1692 (*N. N.*, 1: 201). William Fitzhugh had already referred to it in 1689 as 'Yeosocomico, alias Powell's Creek' (*Va. Mag.*, ii. 372). It does not appear who was the Powell thus remembered. None of the name had either a patent or a Northern Neck grant on this creek, but in 1650 (*Patents*, 2: 273), 'Mrs. Joane Powell' is recorded on Machotic, and so proves that the name had thus early been introduced into the Northern Neck.

Neapsco, 'at the point of rock.' In a description of March, 1657/8, (*Patents*, 4: 210), are recited the names 'Niobsc Creek' and 'Freestone Point.' It thus appears that the English name of the point was a translation, perhaps unconscious, of the indian name which has persisted beside it as applied to the creek. This is a common phenomenon in all lands which have been possessed by successive races. See Isaac Taylor's *Words and Places*.

Morumsco, 'at the island rock.' In a description of 1663 (*Patents*, 4: 603), there is a reference to 'Horne Island' off the mouth of this stream.

Occoquan, 'at the end of the water.' This suggests a town at the head of tidewater, and so may be a confirmation of Capt. John Smith's location of the Doeg 'King's howse,' and of John Davis' tale of resort thither, as to a shrine, by indians at the beginning of the nineteenth century.

The interpretation of the indian names quoted above were furnished to the present editor by Dr. Truman Michelson, of the Bureau of American Ethnology, a recognized authority on the Algonkin language.

¹⁰ *Giles Brent's Wife*: At the conference between Col. Talbot and William Penn, at Newcastle, 1684 (*Md. Hist. Mag.*, iii, 30), Talbot said: 'I look on an Indian Conquest or purchase to be a sufficient title to barr a weaker Indian pretension, but not to oppose an English Patentee that hath his charter from the crowne of England . . . and the like of Capt. Brent who in right of his wife, the Piscataway Emperor's daughter and only child, pretended a right to the most part of Maryland but could doe noe good on't after a great bustle about it.'

¹¹ The testimonies for Giles Brent in the Maryland records are collected in *Va. Mag.* xv, 324, 450; xvi, 96. The earliest date for him in Virginia is a deduction from the certificate of the Stafford Court in

1668 that they had known him for twenty-one years (Conway Robinson's notes from Council Journal, *Va. Mag.*, viii, 239) which would take us back to the organization of government in the Northern Neck. It is apparent that that government found him already seated on Aquia.

¹³ See *post*, p. 602. It was for this reason that Herrman marked the word 'Brent' on his map (1673) above the mouth of 'Ochquay R.' (he called the Occoquan 'Achquin'), designating the location which the Virginia Assembly (Hening, ii, 473) was later to call 'Peace Point.'

¹⁴ His patents on Aquia and Potomac Creek, including that neck later known as Marlborough, are calendared in *Va. Mag.* xvii, 81. The first of them, in 1651 (*Patents*, 2: 359), described the land as 'near his house,' indicating his occupation before he took out a patent.

¹⁵ *Patents*, 3: 228.

¹⁶ Walter Broadhurst did not patent his dividend on Chipawansic but it is identified from references by others (e. g., Robert Heaberd's, *Patents*, 4: 103). There was, however, a patent to his son, Gerrard Broadhurst, in 1668 (*Patents*, 6: 172). William Fitzhugh (*Va. Mag.*, i, 24), testified that this dividend had vested in Burr Harrison before 1679, thus early establishing 'Harrison of Chapawansick.'

¹⁷ Matthews' dividend was recorded in *Patents*, 4: 158. In 1702 it had vested in his grandson, Samuel Matthews, of King and Queen, who authorized Nicholas Brent to sell it for him (*Va. Mag.*, xviii, 320). In 1715 (*N. N.*, 5: 86) John Holloway, the lawyer, had acquired it and taken a regrant, which he sold to Robert Carter as is testified in the 'King's' will (*Va. Mag.*, v, 411).

¹⁸ *Patents*, 4: 371.

¹⁹ *Ibid.*, 3: 275.

²⁰ *Ibid.*, 3: 363. In the Virginia tradition the name is usually perverted to read 'Martian'.

²¹ *Ibid.*, 4: 306.

²² *Patents*, 2: 333. For the recital of Turney's attainder and execution, Hening, ii, 461. The escheat of his lands on Chotank is recorded in *Patents*, 5: 296 and *N. N.*, 2: 8. His Doeg's Island dividend had meanwhile (1654 and 1662, *Patents*, 3: 306; 5: 265) passed to John Mottrom, originally of York, but later of Coan, who was the first Burgess to represent the Northern Neck in the Assembly. In 1666 (*W. & M. Quar.*, v, 52) Mottrom's son sold to Richard James, Senior, of Jamestown, and his widow married William Sherwood, the Jamestown lawyer who came to Virginia as a 'King's passenger.' In 1696 Sherwood took a Northern Neck grant (*N. N.* 2: 253), and immediately sold to the second George Mason (Rowland, i, 23).

²³ Thomas Speke (1603-1659) was of a Somersetshire family (*W. & M. Quar.*, iv, 41). He had the distinction of being the first of the four husbands of Frances Gerrard, the last being Col. John Washington. His dividend here in question (*Patents*, 3: 68, elucidated by 4: 176, 177, 264) passed successively to Thomas Brererton, Clerk of the Council (1657, *Patents*, 4: 202), Richard Bushrod of Gloucester (1660 and 1662, *Patents*, 4: 450; 5: 14. See the record of *Bushrod & Brererton*, 1660, in Hening, i, 545), and ultimately to the Masons. Thomas Owsley's grant on Pohick in 1694 (*N. N.*, 2: 58) recites the upper part of the Speke dividend to be 'now in tenor and occupation of Capt. George Mason,' thereby identifying it as the site of the Pohick residence of the second George Mason, to which reference was made in the Iroquois treaty of 1722. Before the entire Dogue neck was consolidated in the

ownership of the Masons, other titles had been carved out of it. Thus it appears from *N. N.*, 5:192, that Bushrod conveyed a parcel of 520 acres 'on Potomack river side opposite Nump's Island' to Robert Colson, who in turn conveyed in 1693 to John Withers, Clerk of Stafford. The widow of William Withers, son of John, married Francis Cofer who took a renewal grant in 1719; whence the name 'Mrs. Cofer,' indicated opposite 'Crane Island,' on Robert Brooke's Potomac map of 1737. That map also indicates as 'Mr. Brenaude's' the residence of Jeremiah Bronaugh, originally of King George, who had married a daughter of the second George Mason and was seated on his lands before 1733, when he was a member of the Truro Vestry (*Truro Vestry Book*, ed. Goodwin, p. 6.)

²² In 1654 (*Patents*, 3:285) the estuary is styled 'Ohoquin river,' but in 1657 (*Patents*, 4:176) and thereafter for some time the designation is 'Acquaconde river called the Western branch.' In 1690 (*N. N.*, 1:45) it has become 'Occkaquann' and in 1694 William Fitzhugh (*N. N.*, 2:30) writes it 'Ocaquon.'

²³ The dividends of Piddel, Jenkins and Dodson are in *Patents*, 3:17, 80, 82. Drayton's repatent (4:281) did not include them all, for in 1690 (*N. N.*, 1:45) Thomas Kirton (either the original proprietary agent of 1671 or his son) had a grant of an escheat of 600 acres out of Dodson's dividend. By 1703 (*N. N.*, 3:6) the Drayton title had passed to Thomas Baxter, whose family name appears here on Robert Brooke's Potomac map of 1737.

²⁴ Cary's two patents of 1654 and 1657 are in *Patents*, 3:285; 4:183. In *The Virginia Carys* this land is erroneously located on Aquia by a confusion of 'Ohoquin' (Occkoquan) with 'Oquij' (Aquia). Cary 'deserted' his dividend and after his death it was repatented in 1670 (*Patents*, 6:324) to Nicholas Spencer and Thomas Baxter. In 1714 (*N. N.*, 5:169) James Gregg took a Northern Neck grant for the same land, and it was from him that Edward Washington and others derived the title they successfully defended against the Carters' claim that the Gregg title had escheated. (See *N. N.*, C:39, and *post*, p. 432).

²⁵ *Patents*, 4:181. There was a Henry Vincent 'of London, merchant,' among the subscribers under the second charter of the London Company (Brown, *Genesis*, ii, 1039).

²⁶ The Burbage dividend of 1653 was not recorded as a patent, but is recited in the descriptions of the adjoining lands. Before 1658 Burbage was dead and his widow had married Edward Streater of Nansemond (Hening, i, 404), who perfected the title in his own name (*Patents*, 4:210). He sold to Henry Corbin (*Patents*, 4:365, 608), who in turn sold out in parcels. The neck between Morumsco and Neapsco passed to Martin Scarlet (*N. N.*, 1:150), while the Occkoquan front was divided between Thomas Gregg (1694, *N. N.*, 2:289), whose family name is there inscribed on Robert Brooke's Potomac map of 1737, and the second George Mason (See the regrant to his son, 1717, *N. N.*, 5:145). The boundary last mentioned, of 534 acres, included the Occkoquan ferry landing and the site of the first Prince William Court House. Mentioned in the will of the fourth George Mason, ultimately it was known as 'Woodbridge.'

²⁷ This Heaberd dividend is *Patents*, 4:103. It will be noted that the name 'Sandy Point' has been transferred on the modern map, with the sand, to that horn of Doeg's Neck, which opposes the Ragged Point here mentioned. For the descent of this title through Richard Codsford to Henry Peyton, see *Patents*, 3:284; 4:255, and Hayden, p. 491.

²⁸ *Leesylvania*: The Dodson dividend of Freestone Point is *Patents*, 4: 285. It was acquired by Henry Corbin, left by him to his daughter, Lettice, and from her devolved upon her son, Henry Lee, who took a regrant in 1718 (*N. N.*, 5: 155). See the Lee wills in *Lee of Virginia*, 133, 295.

²⁹ *Patents*, 3: 376.

³⁰ *Ibid.*, 3: 302.

³¹ *Ibid.*, 4: 181.

³² The bay now known as 'Gunston Cove' was first identified in 1657 as 'Dogue Island Creek' or 'Island Creek,' and the streams emptying into it as its 'west' and 'main' branches (*Patents*, 4: 175). By 1669 (*ibid.*, 6: 244), the bay had become 'Poehick Creek,' and the stream now known as Accotink Run was identified as the 'main run of Poehick Creek.' It was not until 1694 (*N. N.*, 2: 60) that 'Acquotink Run' appears by name. It was after the distinction had thus been made that the 'west run' assumed the name of the bay and became Pohick run. Dr. Michelson advises that Pohick signifies 'the water place' and Accotink, 'at the end of the hill.'

³³ The Goodwin, Gosnell and Jernew dividends are *Patents*, 4: 264, 175, 232. The other patentees of 1657, identified as 'above Colo. Speake,' are Francis Roberts, Peter Smith, John Wood of Wicomico, Thomas Molton, Thomas Broughton and John Stowell, whose dividends are recorded as *Patents*, 4: 169, 174, 176, 177, 244, 247.

³⁴ *Patents*, 4: 216. The record is annotated that this was taken up 'in the name of Major George Colclough,' but the next appearance of it is a repatent in April, 1668, by Thomas Hobson (*Patents*, 6: 272), which recites that both Wildy and Colclough 'deserted.'

³⁵ For the recital of William Dudley's title, see e. g., *N. N.*, 5: 207. Dudley died in Middlesex in 1677, shortly after his release from imprisonment (*Va. Mag.*, xxiii, 148; xxxi, 173).

³⁶ *Patents*, 6: 672, confirmed in 1694 by *N. N.*, 2: 22 and in 1709, regranted (*N. N.*, 3: 226) to Joseph Carr. Thereafter the title vested in the Dades of Chotank. It appears from a petition by Hugh West to establish a boundary with William Fairfax, filed in Prince William court, May 26, 1740 (*Prince William D. B.*, D: 391), that on November 1, 1738, a survey had been made of the Wells and Derrick dividend to accompany a conveyance of it by Francis and Cadwallader Dade to William Fairfax, and that that conveyance had been made 'lately' when West filed his petition. The Dade deed itself, the nucleus of the Fairfax holdings, is missing with the contemporary county records.

³⁷ *Patents*, 6: 294. *N. N.*, E: 299, with which was recorded a plat (on which the name, Belvoir, is inscribed) followed by a deed (*Prince William D. B.*, E: 515) give the subsequent history of this dividend. It appears that William Green divided his patent, conveying the river front to 'James Rankine, Mariner, of London,' and the upland to an ancestor of Hugh West; that the 'Poynt of Pohick,' henceforth called 'Rankin's Point,' escheated to the proprietor in July, 1741, and was regranted to Charles Green, the parson of Truro, who, in November, 1741, transferred it to William Fairfax. The latter acquired, later, the Wests' title also, and thus reunited William Green's original boundary.

³⁸ *Patents*, 6: 288. For James, see *W. & M. Quar.*, xv, 214. In view of the subsequent ownership of lands in this neck by the Dades, it is of interest that in this patent of 1670 John James names among his head rights 'Francis Dade, Christ: Dade, Fran: Dade, Jr., Mary Dade.'

⁴¹ *Patents*, 4:443. Normansell's dividend was later included in the second George Mason's 'Hereford Manor' (described in *N. N.*, 5:27) which was the site of the first 'chapel above Occoquan.' See *post*, p. 285.

⁴² *Patents*, 4:172, 286. Castleton does not appear elsewhere in the patents.

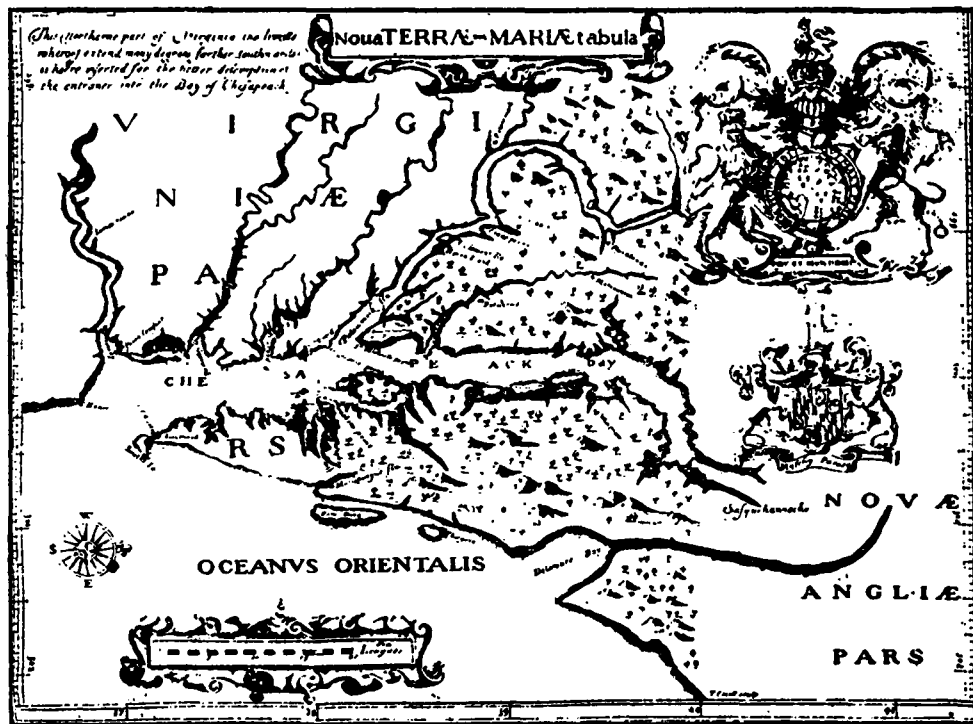
⁴³ In a dividend of 1658 (*Patents*, 4:267) this stream was mentioned again as 'a creek between the land of Capt. Brent, called Puscattaway Neck, and the land of Henry Vincent.' It was apparently George Brent of Woodstock who gave it the name Little Hunting Creek (See *Patents*, 6:625), but that name was first recorded in 1675 by Nicholas Spencer, as quoted below.

⁴⁴ *Patents*, 4:452. Peter Jennings was at this time a burgess for Gloucester. Later, he was Attorney-General and of the Council. He does not appear on the Yorkshire pedigree of Edmund Jennings of Ripon (*Va. Mag.*, xii, 308). His name is, however, common in that family and Dr. Tyler (*W. & M. Quar.*, x, 32) says he 'undoubtedly' was a member of it.

⁴⁵ *Patents*, 4:447. The record carries a note by Francis Kirkman, Clerk of the Council, that it was 'renewed by order of the General Court, dated the 26th March, 1663.'

⁴⁶ For the Lee wills see *Lee of Virginia*, pp. 63, 80. The language is significant. The first provides, 'I give and bequeath to the five younger children . . . also 4,000 acres upon Potomack.' The second is the bequest of a law suit: 'I give to my daughter, Ann Fitzhugh, all my right, title and claim to a tract of land of 4,000 acres in Stafford County, patented by my honoured father.'

⁴⁷ *N. N.*, 5:207; *Patents*, 6:615. The original of the proprietary grant of 1675 now hangs in a frame in the hall at Mt. Vernon as a testimony of the source of George Washington's title to the nucleus of his estate. With the muniments should be studied the plat of a survey made in May, 1741, by Robert Brooke, then Surveyor of Prince William. This map (which is reproduced in Callahan, *Washington the Man and the Mason*, 1913) was filed in Prince William court in a suit of *Samson Darrell v. Wade*, concerning the litigants' boundaries above the Spencer and Washington lands. The future site of Mt. Vernon House is here indicated as 'Capt. [Augustine] Washington's quarter.'



LORD BALTIMORE, 1635.

CHAPTER FOUR

'The Petomack ffreshes above Piscataway'

WHEN, in July, 1653, the Assembly erected Westmoreland County above Northumberland,¹ the limits were described as:

'ffrom Machoactoke river where Mr. Cole lives: and so upwards to the ffalls of the great river of Pawtomake above the Necostins towne.'

It was thus the intention to include in the new county not only all the lands of the Doegs, but also those lying above them which belonged to the nation Virginia knew at this time as the Anacostans, i. e. to the people Smith had called 'Nacotchtanks' and Wyatt 'Piscaticons.' The reference to the 'Necostin's towne' was the definition of the indian boundary at the palpable narrows of the Potomac which face the mouth of what has since been known on the Maryland map as Piscataway Creek. This creek took its name from the seat of the 'emperor of Piscataway' on its shore, and it was his town which the Assembly indicated. This appears in the description of a Virginia land title, set up within a few weeks after the Westmoreland act, as being 'opposite the Indian town of Pascataway;' while some years later this designation was more particularly specified in another patent which referred to the same lands as opposite 'the Annocostan Indian town called Aquakick.' It was, moreover, the half English grandson of the 'emperor' in whose behalf this patent issued.

When the Virginian parliament-men came to 'Peace' in the spring of 1653 they must have fired their host by their talk of the plans of the Assembly for the future of the Potomac, especially with relation to indian trade. Giles Brent was quick to appreciate the opportunity in that respect which the future held out to his son, then only one year old.² Whether or not the boy should ever avail of it, the father deemed it provident to assure him the full exercise of that opportunity, and for such a

trade it seemed at the moment that the strategic position was at the narrows immediately over against the indian capital which then dominated the upper river from the Maryland shore. Accordingly, in September, 1653, and again a year later, while the Virginians were still laying out their claims on and below Occoquan, two patents issued in the name of 'Mr. Gyles Brent, Junr., son of Gyles Brent, Esq.' They were for 800 acres and 1,000 acres, respectively.³ In addition to the reference to the indian town across the river, the land was identified, in the first patent, only as bounded 'south and west by a small creek.' The second patent enlarged the topography by naming the point of beginning as 'the Rickahockian stands' and the boundary as 'Hunting Creek.' This last designation proves all the land to have been above the mouth of the 'Little Hunting Creek' of Nicholas Spencer's description in the Mt. Vernon grant of 1675. Contemporaneously with this second patent, official Virginia was introduced also to that redoubtable lady, Capt. Brent's spinster sister, whose real estate holdings in Maryland had caused her to be entered in the land books of that province as 'Mrs. Margaret Brent, gent.' She now took out her first Virginia patent, for 700 acres above her nephew, which, like his, made reference to 'Hunting Creek.'⁴

It was not until after the entire Virginia river front below Piscataway had been appropriated that the land hunters reached this Brent reservation. Pushing through the narrows in the summer of 1657, they then entered upon the lands of the Anacostans. Before the season was over, twenty-seven of them had there recorded claims aggregating 22,800 acres, reaching nearly to the limits of Westmoreland at the falls.⁵ They did not, however, name the county, any more than they recognised Lord Baltimore's recent attempt to call the upper river 'Piscataway,' but described the region uniformly as 'the ffreshes of Petomack above Piscataway' and identified their dividends chiefly by references one to another. Among all their patents there are indicated only three certain landmarks, viz: 'the first creek above the narrows of Piscattaway,' which by the end of the century was known as Great Hunting Creek;⁶ 'the second creek above Piscataway,' which still later was denominated 'Four Mile

Creek;" and 'the freshes above Anacasta Island,' or, as some spelled it, 'Anacosties.'" Vague and general as the descriptions were, being destitute of metes and bounds or other language to indicate the presence of surveyors on the ground, these patents suffice to contradict the tradition of the Alexandria historians and to demonstrate that there was a land map above Great Hunting Creek a decade before 1669. It must be said, however, that that map leaves one with a suspicion that the patentees never went ashore, but made the observations, on which the records were written up, only from the security of a boat.

It is a reasonable deduction, also, that the Anacostans were not informed that new titles to their lands were being created. This conjecture fits with the historical fact that, long after the Susquehannock war, the Virginians remembered their experience in 1623 and held the Piscataways (or Anacostans) in much greater respect than they ever showed the Doegs.' But more than that, it is borne out by the disappearance of the earliest landholders above the narrows as quickly as they came. In the general repatenting of dividends after the Restoration, only a few of their claims can be again separately identified. Most of them, which were not consolidated by John Wood of Wicomico, were 'deserted.' The explanation of this sudden lack of interest is that the region above Great Hunting Creek, which in 1658 seemed a promising place for English settlement, was found to be infested with dangerous indians even before the Susquehannock war; certainly that was the reason why actual seating was here delayed until the beginning of the eighteenth century.

Meanwhile, the land map had been reconstructed. In 1660 Col. Richard Lee acquired and repatented Robert Clerke's dividend of 2,000 acres, (continuing the description of 1657 as) bounded,

'north on a creek which issueth out of Petowmeck freshes above the narrows of Piscataway, which creek divides this land from a tract of 2,000 acres appertaining to John Wood, Robert Smith and John Ayres.'¹⁰

That this was on the lower side of Great Hunting Creek may be deduced from an original patent issued in July, 1669,

to John Matthews, who kept ordinary at Potomac Creek. Matthews' 1,567 acres 'on the southwest side of a creek called Mussle Creek,' was demonstrated to be on the lower side of Great Hunting Creek, when it became the site of one of Sir William Berkeley's forts against the Susquehannocks in 1676.¹¹ Being up stream from the creek mouth, Matthews must have adjoined a previous dividend, and it appeared that this was Lee's land when, in 1695, George Brent of Woodstock took a Northern Neck grant for the land Clerke and Lee had patented, and described it as 'upon Great Hunting Creek adjoining land of Mr. Matthews.'¹² A few months after Matthews, Robert Howsing, a Welsh sea captain, who previously had seated lands on Upper Machotic in the present Westmoreland, sued out a patent for 6,000 acres, described as 'upon the freshes of Potowmeck River above the dividing branches of the same.' This probably was a repatent of the 6,000 acre claim which John Wood of Wicomico had recorded in 1658 to include his own original dividend of 1657 (which is mentioned in the Clerke-Lee patents), as well as others of that year. When surveyed, the Howsing land proved to lie on and above Great Hunting Creek and to embrace the river shore thence up stream as high as Anacostia Island.¹³ On October 13, 1669, Howsing transferred his patent to the surveyor John Alexander of Chotank, whose descendants kept it alive into the eighteenth century, when it became the site of the Hunting Creek warehouse and ultimately of the city of Alexandria.¹⁴

NOTES TO CHAPTER FOUR.

¹ Hening, i, 381. We venture to differ with Dr. Tyler (*W. & M. Quar.*, iv, 30) in his interpretation of the site of 'the Necostins towne' here mentioned as 'the present site of Washington.' There was perhaps another town at the mouth of Rock Creek, but, in 1653, Virginia knew little of the river that high up. The other name of the town 'Aquakick,' is that given on the Fry and Jefferson map to the creek immediately below Piscataway.

² For the younger Giles Brent, see *post*, pp. 67, 75.

³ *Patents*, 3: 210, 373; both renewed, 1662, 4: 417. The reference to 'Aquakick' is in 1662 (*Patents*, 6: 73). It remains for the experts on

Indian history to explain why the Rickahockians (see *ante.*, p. 25) had 'stands' on the Potomac, and what they were.

We have seen this dividend described in 1658 (*Patents*, 4:267), as 'the land of Capt. Brent called Puscataway Neck,' and so it appears in several subsequent records, e. g., in the deed of 1673 (*Va. Mag.*, xvi, 100), by which it was vested in George Brent of Woodstock. He re-patented it (*Patents*, 6: 625; *N. N.*, 1:73, where 'Little Hunting Creek' is named). From his heirs it passed to the Cliftons in 1739 (*Va. Mag.*, xviii, 320), whence it was known as 'Clifton's Neck' in George Washington's day, when he included it in the Mt. Vernon estate, as the 'River Farm.'

Patents, 3:11; renewed, 1662, 5:240. It was by no accident that Margaret Brent entered for lands so near the head of navigation of the Potomac, for about the same time (*Patents*, 3:365), she had a dividend also above the falls of the Rappahannock, thus showing an appreciation of the strategic value of the future sites of both Fredericksburg and Alexandria. The last named city might well erect a statue to this vigorous spinster, not only as the first of the English to have a vision of the commercial possibilities of the town site, but as the earliest advocate in America of political rights for women.

Margaret Brent was born in Warwickshire in 1601 (*Va. Mag.*, xiv, 100). Not having married, she migrated to Maryland in 1638 (*ibid.*, xv, 324) to join her brother Giles, being then in her thirty-seventh year. She at once began to acquire land on her own account and so attained the designation of 'gent.' in the Maryland real estate records (*ibid.*, xv, 450). Her crowded hour came after the death of Governor Leonard Calvert, in 1647, when he, by a terse nuncupative will ('Take all and pay all'), made her his administratrix (*ibid.*, xv, 326). She then demanded the right of suffrage in the Maryland Assembly 'to have vote in the howse, for her selfe and voyce also . . . as his L^{ts} attorney' (*Md. Archives.*, i, 215), but was denied. Subsequently she showed both energy and tact in settling, on behalf of Leonard Calvert's estate, with the soldiers he had brought over from Virginia to suppress Ingle's rebellion. On the reduction of Maryland by the Commonwealth, she migrated to Virginia to join her brother, Giles, and thereafter lived with him until her death in 1663. Her will is in *Va. Mag.*, xvi, 98.

Patents, 4: 156, 170, 171, 172, 174, 177, 228, 229, 258, 259, 281, 305, 307, 309, 363, 571. As a consequence of the fact that these patents name no county, they are not included in the county index in the Land Office and for that reason, apparently, have been overlooked by the Alexandria historians.

The patentees were James Ashton, John Ayres, John Bennett, George Berry, Thomas Boswell, Robert Bradshaw, Thomas Broughton, William Butler, Francis Carpenter, Francis Clay, Robert Clerke, John Cloughton, Vincent Cock, John Custis, William Davis, Francis Gray, John Hayles, William Knott, John Launcelot, Hugh Lee, William Presley, Henry Randolph, John Raven, John Tingy, Edward Williams, John Wood, Thomas Woodhouse. Of these, five, Butler of Surry, Davis of James City, Gray of Charles City, Hugh Lee of Northumberland (a merchant, but apparently not of the well known family), and Presley of Northumberland, had been, or were to be, burgesses. Woodhouse kept the ordinary at Jamestown, in which the Assembly sat at this time (Hening, i, 425; ii, 12). But the most interesting of them all are John Custis of Accomac, later of the Council, whose descendants were to return to this region a century and a half later; and Henry Randolph, Clerk of Henrico, the immigrant of a notable family.

The cross references in these early patents supply some names for

which no patents were issued. They were those of men who evidently hoped to sell their claims before they were called on to pay the patent fees. They were thus early examples of that kind of land speculator against whom Governor Dinwiddie thundered incoherently in the controversy over the 'pistole fee.' 'It has been too long,' he said (*Dinwiddie Papers*, i, 363), 'a practice here to have orders for land, return their surveys, works and improvement to the Secretary's office, by which they pretend to a legal right and enjoy the lands for years before they take out a patent for them, by which the Crown has been greatly defrauded.'

⁸ In 1669, when it was first definitely identified, Great Hunting Creek was known indifferently as 'Mussel Creek' and 'Indian Cabin Creek' (*Patents*, 6: 238, 262). In the Ravensworth grant of 1694 (*N. N.*, 2: 14) it is still 'Mussel Creek,' but the present name makes its appearance in 1695 (*N. N.*, 2: 110).

⁷ 'Four Mile Creek' was first named in 1706 (*N. N.*, 3: 121). It was so called as being four miles above Great Hunting. There is a suggestion of this as early as 1657 in the references to lands 'extending to the mouth of the second creek above Piscataway' (*Patents*, 4: 571), which lands are identified as above dividends (*ibid.*, 4: 172, 259) described as 'about 3 miles above . . . a creek which issueth out of Petowmack freshes above the narrows of Piscataway.'

⁹ Known at different times as 'My Lord's Island,' 'Mason's Island,' and 'Analostan,' this landmark in the Potomac opposite the mouth of Rock Creek appears on the first map which lays it down (Herrman, 1673), by the name given it in the earliest patents, 'Anacostien Ile.'

⁶ See pp. 19, 37, 143.

¹⁰ *Patents*, 4: 259, 447.

¹¹ *Patents*, 6: 238. For the fort, Hening, ii, 327.

¹² *N. N.*, 2: 113.

¹³ *Patents*, 6: 262. There are two plats of the Howsing patent in the Fairfax records, viz., (1) a plat of a survey made in April, 1741, by Joseph Berry; (2) a plat drawn in 1746, based on the original survey made in February, 1693, by Theodoric Bland, then surveyor of Stafford. Both are reproduced (as Exhibits 9 and 16) in the record of *Marine Railway v. U. S.*, 257, U. S., 47.

The 6,000 acre patent of John Wood and Thomas Woodhouse, on which Howsing's seems to be based, was dated May 29, 1658 (*Patents*, 4: 305). Although the description provides no certain landmarks, the references (e. g., to William Presley's patent, 4: 172) indicate that it lay upon both the 'first' and 'second' creeks 'above Piscataway,' and included earlier dividends.

¹⁴ See *post*, p. 406. For the title after 1669, see *Birch v. Alexander*, 1 Washington (Va.), 34.

CHAPTER FIVE

The Susquehannock War

IF Virginia early made tobacco her main staple, there were in the colony from the beginning men who had the vision to see that the fur (or in the South, more properly, the skin) trade might become a profitable substitute for those vainly sought mines of precious metals which dominated the imagination of the earliest adventurers.

This commerce began with what Lederer called 'a home trade with neighbour Indians,' but Henry Fleet and William Claiborne soon showed the way to a more far flung traffic by 'trucking' with the northern indians at the heads of the Potomac and Chesapeake Bay. When those doors were closed by Maryland the men who had seated themselves on the south side of James River began to look abroad for a similar market in the still sealed southwest. In that direction they were long delayed by nature.

Although the colony occupied a series of 'necks' conveniently surrounded by navigable tide-water, it lacked what both Canada and New Netherland (and in a less extent Maryland also) had, that is to say, access to a connected system of interior waterways. For purposes of interior navigation the fall line of the Virginia rivers was too near their mouths.

The Charles City men were not to be daunted however. In 1642 Rice Hooe¹ and others of that community procured authority from the Assembly,² 'to undertake the discovery of a new river or unknowne land bearing southerly from Appomattake river,' but it was not until after Berkeley's final defeat of the Pamunkeys in the field that such an undertaking was actually launched. By the treaty of peace of 1646³ all indians were forbade to come east of a line drawn from the Blackwater to 'the old Monakin Towne' on the James above the falls, 'except to trade at fforte Henry, alias Appamattucke forte;' and of this fort Abraham Wood had a grant in consideration of his undertaking to garrison it at his own expense.⁴

Wood there learned that in order to develop his trade it was necessary to go after it. Accordingly, in August, 1650, with his partner, Edward Bland, he made an expedition from Fort Henry to the Roanoke river⁶ and, upon the report of their discoveries, in the following October the Assembly granted to Bland a monopoly of trade in that direction in order 'to have correspondence with the Indians and also receive the benevolences of the well affected.'⁷ Whatever this may have meant, it was thus and under such powers that there was opened up that southwest trading path to the Carolinas on which Virginia merchants have prospered from that day to this. Before the end of the seventeenth century the pack horse commerce out of Virginia extended four hundred miles to the Cherokees and the Catawbas.⁷

But Messrs. Bland and Wood did not long enjoy the monopoly the Assembly intended they should have. They soon encountered a potent competition which was doubtless then quite unexpected, but which, like the commerce itself, has persisted to this day.

During the early years of the Commonwealth, when Virginia was free to choose her commercial associates, she held close to her bosom the Dutch merchants who then frequented her rivers; she was, indeed, vocally loath to repudiate them when the Commonwealth navigation law required her to do so,⁸ for to the great profit of all concerned, the Dutchmen had purchased from Messrs. Bland and Wood, and their associates, all the skins brought into Fort Henry from the Carolinas. But once definitely excluded from James River, the Dutchmen lost no time in establishing direct relations of their own with the Carolina Indians. In doing this they had a commanding competitive advantage. Following the precedent set for them by Jacob Elkins in his treaty with the Iroquois in 1618, the traders at Manhattan Island consistently bartered fire arms for peltries, a practice prohibited in Virginia,⁹ and by this means diverted so much of the Carolina trade as to induce Col. Wood, in 1662, to appeal to the Assembly for protection. Thus was Virginia introduced to that doughty Iroquoian nation, known to the ethnologist as the Conestoga,¹⁰ which had already stirred her imag-

ination from the depiction of one of their early chiefs on Capt. John Smith's map. These indians dwelt at the head of Chesapeake Bay and on the lower reaches of the Susquehanna River, from which they derived their popular name 'Susquehannocks.' It appears that the Dutch had now enlisted them as their intermediaries in the Carolina trade. In the act of 1662 it was recited¹¹ 'that the Susquehannock and other northern Indians in considerable numbers frequently come to the heads of our rivers whereby plain paths will soon be made which may prove of dangerous consequence.' For this consideration the Assembly prohibited 'all indians to the northward of Maryland from trucking, trading, bartering or dealing with any English or indians to the southward of that place.'

Considering the wilderness back of the Virginia settlements, this legislation was about as effective as King Cnut's decree against the advance of the tide. The Susquehannocks continued to frequent their 'plain paths' and in doing so visited their resentment against the attitude of Virginia by committing depredations on the Potomac and Rappahannock settlements.¹² Berkeley talked of war but Col. Wood, who was first of all a trader, had recourse to more practical tactics. He met the Dutch competition by himself putting fire arms into the hands of the indians.¹³ Thus he laid up wrath for a day to come, but meanwhile not only retained a portion of the Carolina trade but established friendly relations with the Susquehannocks. This status, surviving the Dutch surrender of Manhattan Island and persisting down to 1676, was summed up by Beverley:¹⁴

'The Indians at the Head of the Bay drove a constant Trade with the Dutch in Monadas, now call'd New York: and to carry on this they used to come and return every Year by the Frontiers of Virginia to purchase Skins and Furs of the Indians to the Southward. This Trade was carried on peaceably while the Dutch held Monadas, and the Indians used to call on the English [in Virginia], to whom they would sell part of their Furs and with the rest go on to Monados.'

The local interest in this Susquehannock commerce lies in the fact that it traversed the heart of old Prince William. Crossing the Potomac at the mouth of the Monocacy, the Susquehannock 'plain path' made its way to the Rappahannock un-

der the eastern slope of the Bull Run Mountains by that natural route of least resistance, which later was known successively as the Shenandoah Hunting Path and the Carolina Road. Crossing the Rappahannock below the Great Fork, and the James at 'Monakin Town,' the 'plain path' ended at Occaneechi Island in the Roanoke.¹⁵ It was thus the Conestoga who first opened up that trade route through piedmont Virginia between the North and the South which ever since has been one of the arteries of American commerce.¹⁶

In 1663 the Assembly recited¹⁷ that a series of murders had been committed on the frontier by 'Doeggs who confessed to be actors in the first murthers' and had fled 'to the Occaneecheis and Monakins.'¹⁸ These criminals were tampering with the last remnant of the Potomacs, inviting them to 'goe and hold Mat-chacomico.'¹⁹ Wherefore the Assembly sternly forbade the King of Potomac to have any such intercourse with strangers and to give hostages for his obedience. This caution may have been effectual in so far as concerned the last Potomac *werowance*, but the Doegs kept up their depredations none the less. In 1665 the Assembly recorded more 'murthers' on the frontier;²⁰ and so for a decade were heard the rumblings of the approaching storm which was to involve Virginia in civil war.

The story of the Susquehannock war opens with the report of the Crown Commissioners, Berry and Moryson, sent over in 1677 to investigate the causes of Bacon's rebellion:²¹

'Few or none had bin the Damages sustained by the English from the Indians, other than occasionally had happen'd sometimes upon private quarrells and provocations, untill in July, 1675, certain Doegs and Susquahanok Indians on Maryland side, stealing some Hoggs from the English at Potomake on the Virginia shore (as the River divides the same), were pursued by the English in a Boate, beaten or kill'd and the hoggs retaken from them; whereupon the Indians, repairing to their owne Towne, report it to their Superiors, and how that one Mathewes (whose hoggs they had taken) had before abused and cheated them, in not paying them for such Indian trucke as he had formerly bought of them, and that they took his hoggs for Satisfaction. Upon this (to be Reveng'd on Mathews) a warr Captain with some Indians came over to Potomake and killed two of Mathewes his servants, and came also a second time and kill'd his sonne.'²²

We now turn to the classical narrative of 'T. M.:'

'My Dwelling was in Northumberland, the lowest County on Potomack River, Stafford being the upmost; where having also a Plantation, Servants, Cattle, etc., My Overseer there had agreed with one Robt. Hen to come thither, and be my Herdsman, who then Lived Ten Miles above it; But on a Sabbath day Morning in the summer Anno 1675, People on their Way to Church, Saw this Hen lying th'wart his Threshold, and an Indian without the Door, both Chopt on their Heads, Arms and other Parts, as if done with Indian Hatchetts. Th' Indian was dead, but Hen when ask'd who did that? Answered 'Doegs Doegs,' and soon Died; then a Boy came out from under a Bed, where he had hid himself, and told them, Indians had come at break of day and done those Murders.

'From this Englishman's blood did (by Degrees) arise Bacons Rebellion with the following Mischiefs which Over-spread all Virginia and twice endangered Maryland, as by the ensuing Account is Evident.

'Of this horrid Action Coll: Mason²⁴ who commanded the Militia Regiment of Foot and Capt. Brent²⁵ the Troop of Horse in that County, (both dwelling Six or Eight Miles Downwards) having speedy notice raised 30 or more men, and pursu'd those Indians 20 Miles up²⁶ and 4 Miles over that River into Maryland, where landing at Dawn of Day, they found two small Paths. Each Leader with his Party took a Separate Path and in less than a furlong, either found a Cabin, which they Silently Surrounded. Capt. Brent went to the Doegs Cabin (as it proved to be) Who Speaking the Indian Tongue Called to have a *Mat-chacomicha Weewhip* i. e. a Councill, called presently; Such being the usuall manner with Indians. The King came Trembling forth, and wou'd have fled, when Capt. Brent, Catching hold of his twisted Lock (which was all the Hair he wore) told him he was come for the Murderer of Robt. Hen, the King pleaded Ignorance and Slip't loos, whom Brent shot Dead with his Pistol. Th' Indians Shot Two or Three Guns out of the Cabin, th' English shot into it, th' Indians throng'd out at the Door and fled, The English Shot as many as they cou'd, so that they Kill'd Ten, as Capt. Brent told me, and brought away the Kings Son of about 8 Years old, Concerning whom is an Observable Passage, at the End of this Expedition. The Noise of this Shooting awaken'd th' Indians in the Cabin which Coll: Mason had Encompassed, who likewise Rush'd out and fled, of whom his Company (supposing from that Noise of Shooting Brent's party to be Engaged) shott (as the Coll: Inform'd me) Fourteen before an Indian Came, who with both hands Shook him

(friendly) by one Arm Saying *Susquehanougs Netoughs* i. e. Susquehanaugh friends, and fled; Whereupon he ran amongst his Men, Crying out 'For the Lords sake Shoot no more, these are our friends the Susquehanoughs.'

'This unhappy Scene ended, Collo. Mason took the King of the Doegs Son home with him, who lay Ten dayes in Bed, as one Dead, with Eyes and Mouth Shutt, no Breath Discern'd, but his body continuing Warm, they believ'd him yett alive; Th' aforementioned Capt. Brent (a Papist) Coming thither on a Visit, and seeing his little Prisoner thus languishing Said 'Perhaps He is *parvewaw'd*,' i. e. Bewitch'd," and that he had heard Baptism was an Effectuall Remedy against Witchcraft—Wherefore advis'd to Baptize him. Collo. Mason Answered, No Minister cou'd be had in many Miles; Brent replied, 'your Clerk Mr. Dobson may do that Office,' which was done by the Church of England Liturgy; Collo. Mason with Capt. Brent Godfathers and Mrs. Mason Godmother, My Overseer Mr. Pimet³⁰ being present, from whom I first heard it, and which all th' other Persons (afterwards) affirm'd to me. The Four Men return'd to drinking Punch, but Mrs. Mason Staying and Looking on the Child, it open'd the Eyes, and Breath'd, whereat she ran for a Cordial, which he took from a Spoon, gaping for more and so (by degrees) recovered, tho' before his Baptism, they had often tryed the same means but Could by no Endeavours Wrench open his Teeth. This was taken for a Convincing Proofoe against Infidelity.

'But to return from this Digression, The Susquehanoughs were newly driven from their Habitations, at the head of Chesepiack Bay, by the Cineka-Indians,³¹ down to the head of Potomack, where they sought Protection, under the Pascataway Indians, who had a fort near the Head of that River,³² and also were our Friends.

'After this unfortunate Exploit of Mason and Brent, one or Two being kill'd in Stafford, Boats of War were Equipt to prevent Excursions over the River, and at the same time Murders being (likewise) Committed in Maryland, by whom not known, on either Side the River, both Countrys raised their Quotas of a Thousand Men, upon whose coming before the Fort, Th' Indians sent out 4 of their great Men, who ask'd the Reason of that Hostile Appearance, What they said more or offered, I Do not Remember to have heard. But our Two Commanders³³ Caused them to be (Instantly) Slaine, after which the Indians made an Obstinate Resistance, Shooting many of our Men, and making frequent, fierce and Bloody Sallyes; and when they were Call'd to, or offerd Parley, Gave

no other Answer, than 'Where are our four *Cockarouses*, i. e. Great Men?'

'At the End of Six Weeks, March'd out Seventy five Indians with their Women Children, etc., who (by Moon light) past our Guards, hollowing and firing att Them without Opposition, leaving 3 or 4 Decrepits in the Fort.

'The next Morning th' English followed, but could not, or (for fear of Asbuscades) would not, Overtake these Desperate fugitives. The Number we lost in that Siege I Did not hear was published.

'The Walls of this fort were high banks of Earth, with Flankers having many Loop Holes, and a Ditch round all, and without this a Row of Tall Trees fastned 3 foot Deep in the Earth, their Bodies from 5 to 8 inches Diameter, watled 6 Inches apart to shoot through with the Tops twisted together, and also Artificially Wrought, as our Men could make no Breach to Storm it, nor (being Low Land) could they undermine it by reason of Water—neither had they Cannon to batter itt, So that 'twas not taken, untill Famine drove the Indians out of it.

'These Escap'd Indians (forsaking Maryland,) took their Rout over the Head of that River, and thence over the heads of Rappahannock and York Rivers, killing whom they found of th' upmost Plantations untill they Came to the Head of James River, where they Slew Mr. Bacon's Overseer whom He much Loved, and One of his Servants, whose Bloud Hee Vowed to Revenge if possible.'

The escaping Conestoga thus made their way south by the 'plain path' to the Roanoke river where they were received and entertained by the Occaneechi and the Monacan. They established a headquarters on one of the islands above that of their hosts and thence carried on a pitiless war of revenge upon the whole Virginia frontier.

The 'Susquehannocks' were terrible enemies and they struck whenever they could. During the next few months Stafford experienced all the indian horrors with which later and better preserved American history has made us familiar, but neither then nor later was there any Withers to collect and record the traditions. In detail we know only that thirty-six people were killed on the Rappahannock in one raid,³³ and that the English settlements which had reached up the Potomac as high as Hunting Creek, shrunk again within Aquia 'and did not return for more than ten years.'³³

In this situation old Sir William Berkeley began to exhibit his senility.³⁴ He ordered an array against the Susquehannocks under the command of Sir Henry Chicheley, then living on the Rappahannock, but, as Sir John Berry later testified,³⁵ that old soldier 'being upon the very point of Execucon, was on a suddaine counter marched by the Governour and noe effectual care therein taken: In which service had he proceeded hee had (in all likely hood) ended the warr as soon as begun.' Berkeley satisfied his conscience by reverting to his tactics of 1645 against Opechancanough,³⁶ forgetting that a large part of his success at that time had been due to the diplomacy of Capt. Henry Fleet and that he had now no such adroit instrument for dealing with the new indian foes. He recommended to the Assembly that inasmuch as 'wee are to warr with an enemy whose retirements are not easily discovered to us, soe that a fflying army may not be soe usefull at present' it would suffice now, as in 1645, to establish forts 'on the heads of the rivers and other places fronting upon the enemy.'

One of these fateful forts, the useless expense of which was a potent cause of the popular discontent on which Bacon rode to his end, was decreed to be built 'on Potomack river at or neare John Matthews in the county of Stafford,'³⁷ and was located just south of the mouth of Great Hunting Creek,³⁸ but being 'made of mudd and dirt and soe of noe use or continuance'³⁹ was soon abandoned: in place of it was substituted an equally ephemeral arsenal at "Nieapisco, near Occoquan."⁴⁰

It was at this juncture that Nathaniel Bacon took the field against the Susquehannocks. In May, 1676, he arrived at Occaneechi island with two hundred men, and, after inciting the Occaneechi to massacre their Susquehannock guests, turned upon and himself massacred the hosts.⁴¹ The remnant of the Conestoga surviving this disaster hung for some time on the Virginia frontier, committing furtive outrages wherever and whenever they could. It was to them that the Assembly referred in February, 1676/7, when it recited 'the late murthers committed by the barbarous Indians and which they dayly continue to committ.' But already they were beginning to drift north into Pennsylvania to join those of their nation who had now become

subjects of the Iroquois. During the ensuing summer the Susquehannock war came to an official end with Col. Henry Coursey's treaty of peace with 'the Susquenhanough, Cinnigo [Seneca] and the rest of the Northern Indians.'⁴³ What was left of the Conestoga were thereafter gradually absorbed by their kinsmen and conquerors of the Long House.⁴⁴

At the same time the wicked Doegs also drop out of the record. In the Stafford grievances of March, 1677,⁴⁵ it was urged

'that the Lord of Baltimore, Proprietor of the Province of Maryland, may some way or other take that course with those Indians inhabiting in his Province and so neere Adjacent to this County that they may not infest us by their Incurtions, destroying and killing our stocks and assisting our Indian Enemy, they having greater opertunity to Murther us and destroy our Stocks undiscovered than any other.'

That this was clearly directed at the depredations of the Doegs as distinguished from the organized warfare of the Susquehannocks who were the 'indian enemy,' appears from the reply of the Crown Commissioners:

'The Govr. of Maryld. did advise us by Lre the 12th of July, 1677, that hee being to make a Peace with the Indians promised to include them of Virginia [i. e. the Doegs formerly resident in Virginia] in the treaty.'

But neither in Col. Coursey's treaty with the Iroquois so referred to, nor in the new treaty Maryland made with the Piscataways and her other 'neighbour indians' in 1692⁴⁶ is there any such specific reference to the Doegs as there was in the treaty of 1666. The reason seems to have been that there was no one left to treat in their behalf. As a people they had scattered and were absorbed by other nations, never again to resume their tribal organization any more than the Virginia lands from which they had been effectually ousted, in fact as well as in right, by the event of the Susquehannock war. We have only a few more glimpses of them, always as wanderers. Thus they are mentioned in a report of some

'strange indians' who were found by the Maryland rangers suspiciously hanging about the Piscataway fort in 1681. Those unwelcome guests were described as not 'Sinnegos' but mixed people, 'some Susquehannohs, some Aquaiacoes, some Doags and part of two other nations I have forgot.'⁶⁶ Ten years later, as we shall see, the Stafford Court had before it as a prisoner an indian who called himself 'King of the Doege' and testified that 'having been taken Prisoner about fourteen years since [i. e., 1677] by the Senecar indians from the Nanjatica' indians, remained with them till about fourteen months ago, from whence he came to the Mataway Indians where he had made one Crop of corn; and came away from them in this Summer before corn was ripe with an intent to live here with the Nanjatica Indians with whom he had lived and conversed before; which is believed by the gentlemen present, the said Indian being well known to Capt. John Withers and Several others Present.'

NOTES TO CHAPTER FIVE

¹ Rhys Hooe was a Welshman and made his career in Charles City County (*Va. Mag.*, iv., 427, and Hayden, p. 716), but his son removed to Westmoreland, where his grandson established the first Potomac ferry. (Hening, iv, 93). His great grandsons took up lands in what is now Fauquier. (*N. N.*, 5: 184).

² Hening, i, 262.

³ *Ibid.*, i, 325.

⁴ *Ibid.*, i, 326. For Wood, the founder of Petersburg, see Alvord, *First Explorations*, 1912.

⁵ See Bland's *Discovery of New Brittain*, 1651, reproduced in *Sabin's Reprints*, in Salley, *Narratives of Early Carolina*, and in Alvord, *First Explorations*.

⁶ Quoted by Bland, not in Hening.

⁷ See the letter of the first William Byrd to Perry and Lane, May 10, 1686, in *Va. Mag.*, xxv, 51. Byrd had meanwhile succeeded Bland and Wood in the Carolina trade.

⁸ See the prohibition against shipping tobacco in any but English ships, in Berkeley's instructions of 1642 (*Va. Mag.*, ii, 288), and the Assembly's protests of 1647 and 1651 (*Journals H. B.*, 1619-59, pp. 74, 75). It was the issue thus raised which led to the Navigation law.

⁹ Hening, i, 219, 255, 525. That the 'forainers' referred to in the act of 1659, last cited, were the Dutch is apparent from that *Discourse and View of Virginia* which Berkeley published in London in 1663.

Complaining that the carving of Maryland out of Virginia had deprived him of the power to police the frontier, he said: 'Nor is this all, for by reason of these interposing Grants we have suffered the Dutch to enrich themselves on our discoveries, who have in our precincts settled a Trade of Beaver with the Indians amounting to two hundred thousand skins a year; and supply our enemies with Ammunition and Guns in greater proportion than we have them ourselves.'

¹⁰ *The Susquehannocks*: See *Handbook Am. Indians*, i, 335. Capt John Smith was in contact with them in 1608. He called them *Sasquesahanocks* and described them (*Works*, ed. Arber i, 350) as 'such great and well proportioned men are seldome seene, for they seemed like Giants to the English, yea and to the neighbours . . . their language it may well beseme their proportions, sounding from them as a voyce in a vault . . . These are scarce knowne to Powhatan . . . The picture of the greatest of them is signified in the Mappe.' That picture, with the legend, 'The Sasquesahanougs are a Gyant like people & thus a-tyred,' made a deep impression upon all the early colonists. Maryland soon came into conflict with the Conestoga and held them in wholesome respect. George Alsop's description of them (*Character . . . of Maryland*, 1666), while obviously inspired by a reading of Smith, represents a personal contact also: 'a people cast into the mould of a most large and Warlike deportment, the men being for the most part seven foot high in latitude, and in magnitude and build suitable to so high a pitch: their voyce large and hollow as ascending out of a Cave, their gate and behavior strait, stately and majestick, treading on the Earth with much pride, contempt and disdain.'

¹¹ Hening, ii, 153.

¹² *Virginia Carolorum*, 313, 314.

¹³ Hening, ii, 215. The Assembly later excused him on the ground that it was 'thought unpolitick to debarre ourselves from soe great an advantage as might accrue to us by the Indian trade, when we could not prevent their supply of firearms.' Perhaps also Col. Wood anticipated the ingenious argument of the London merchants in 1692 (*Westover MSS.*, ed. Wynne, ii, 169) in favor of this practice. 'We assert [the selling powder & Shot & Guns to the Indians] the only conveniency and advantage, because hereby in Case of War' or any trouble it lieth in the power of the English to withhold both from them, by which they will at least for a considerable time be incapable of procuring it, & so made more dependent, whereas were their dependence on arrows (as formerly) they would be offensive without remedy.'

¹⁴ *History and Present State* (1705), i, 68.

¹⁵ *Occaneechi Island* in the Roanoke below the confluence of the Staunton and the Dan was visited by Bland and Wood in 1650 and by them named Charles Island, but apparently it was not then occupied. The Siouan tribe known as the Occaneechi (*Handbook Am. Indians*, ii, 103) seem then to have been living on the Dan River, about the site of Danville, where Lederer visited them in 1670. After Bland and Wood established their Carolina trade a Tuscarora town on the upper reaches of the Cape Fear River (say in Alamance County, N. C.) became, as Lederer testified, 'a place of great Indian trade and commerce,' and it was apparently to intercept this trade that at some time between 1670 and 1676 the Occaneechi moved down the Dan and occupied the island which was crossed by the trading path and thenceforth bore their name. The manoeuver was so successful that the

Occaneechi island became a native Venice. Beverley says, significantly, (iii, 24) that 'tho they have been but a small Nation' their tongue had become a sort of general language, which is understood by the chief men of many nations, as Latin is in most parts of Europe and *Lingua Franca* quite thro the Levant.' After their massacre by Bacon in 1676 the Occaneechi moved into North Carolina where Lawson visited them, and their island in Virginia became the property of the second William Byrd, who describes it in his *Journey to Eden* (ed. Basset, p. 286 ff.)

¹⁶ It is a coincidence that the Southern Railway Company has succeeded not only to the commerce of the 'Occaneechi trading path' between the falls of James River (Richmond) and the Cherokee country of North Carolina, but as well to that of the Susquehannock 'plain path' from the north. Between the indians and the railway this last named commerce followed, as we shall see, the 'Carolina road.'

¹⁷ Hening, ii, 193.

¹⁸ The Monacan were then still living at the 'Monakin Towne' which had been established as the north end of the indian dead line by the Virginia indian treaty of 1646. It was on the south bank of the James in what is now Powhatan county. Here Lederer visited the Monacan in 1670 and here, after they had left, the French Huguenots were established in 1699. See Beverley (1705), iv, 45.

¹⁹ 'When they are about to undertake any war or other solemn enterprize the King summons a Convention of his great men to assist at a Grand Council, which in their language is called a *Matchacomoco*.' Beverley (1705), iii, 24.

²⁰ Hening, ii, 218. On May 27, 1664, the Stafford Court, at its first meeting, had ordered 'that Capt. John Alexander shall forthwith presse six men and horse and goe to the Mansattero Indians to see if he can discover which Indians they were that had lately committed that Murther above at Potomeck.' As here used 'Mansattero' was probably intended for 'Manhattans', but it is apparent that Capt. Alexander's embassy was to the Susquehannocks at the mouth of Susquehanna river.

²¹ The report is printed in *Va. Mag.*, iv, 119, from C. O. 5: 1371.

²² There is confusion here with 'T. M.'s' narrative. Although the Commissioners wrote at the time and from official records and 'T. M.' thirty years after the event, it is not likely the latter would have failed to record the murder of a son. Probably the Matthews who suffered that loss was the John Matthews who, on July 2, 1669, patented the land south of the mouth of Hunting Creek, where the Potomac fort was soon to be built (Hening, ii, 326). This John does not seem to have been any relation to 'T. M.': he could not have been 'T. M.'s' son, John, who lived to 1735 (*Va. Mag.*, i, 202), and he did not have the education to be expected of 'T. M.'s' brother, for, in 1677, he signed the Stafford grievances with his mark (*Winder Transcripts*, ii, 238).

²³ *Bacon's Rebellion*, in Force's Tracts, i, No. 8. 'T. M.' was William Fitzhugh's correspondent, Thomas Matthew, of Cherry Point, in the parish of Bowtracy and county of Northumberland (*Va. Mag.*, i, 201). The fact that his Stafford plantation was 'Six or eight miles' above the residences of Mason and Brent, proves it to have been on Aquia, but there is no patent there in his name.

²⁴ This was the first George Mason, who was soon to sit in the Assembly with T. M. as his colleague representing Stafford. He had

patented his lands on Potomac Creek, at the mouth of Accokeek in 1655 and was buried there in 1686.

²⁵ The commissioners for the Crown reported this to be 'Major George Brent,' but, considering the ruthlessness of his conduct and his knowledge of Indian tongues, revealed by T. M.'s narrative, it seems much more likely that it was the half-breed Giles Brent, second of the name, who was soon to march with Bacon against the Susquehannocks in their refuge at Occaneechi Island and later to march against him. This fierce warrior against his mother's people was born at 'Peace' in 1652 (see the recital of his age in his deed of April 5, 1673, *Va. Mag.*, xvi, 100), but he never justified the name. His English wife was compelled to procure a judicial separation from him in May, 1679, something theretofore unprecedented in Virginia, because of his 'inhuman usage' (*Va. Mag.*, i, 40; ix, 187). He died September 2, 1679, while on a visit in Middlesex and was buried there, far from home, in 'the Great Church Yard' (Parish Register, Christ Church, Middlesex, 1897, p. 22).

²⁶ They apparently crossed the Potomac from their island in the mouth of Occoquan.

²⁷ This picturesque incident is a confirmation of the racial identity of the Doegs, for the Nanticoke were notorious for their practice of witchcraft (*Handbook Am. Indians*, ii, 25).

²⁸ It seems probable that this was the John Pimmitt whose naturalization is recorded in Hening, ii, 447; iii, 479. The name persists on the Virginia map. In 1692 Samson Darrell testified in the Stafford court with reference to his "frontier plantation at Pimmit's" and in 1715 (*N. N.*, 5: 105) his son, William Darrell, taking a grant for that plantation, defines the location as 'Pimmetts, alias the Upper Spout, Run falling into Potomack River below and near the falls thereof,' i. e., at Chain Bridge. As 'Pimmit's Run,' this stream is marked on Gooch's map of 1731 as it is on all modern maps.

²⁹ The Susquehannocks had refused to join the Iroquois confederacy, and for years maintained war with their kinsmen. In 1675 an epidemic of small pox had so depleted their strength that, as 'T. M.' says, they were driven from their 'castles' on the Susquehanna.

³⁰ In 1640 Maryland built a fort for the Piscataways. In 1890 W. H. Holmes (*Village Sites in Tidewater Virginia*, MS. Bureau of Ethnology) found the remains of an indian village on Matapoint Creek, in Prince Georges County, Maryland, which he identified as the *Matt-pament* on the Smith map. Mr. T. T. S. Bowie, who owned the property, then showed him the plat of a survey in 1702 on which was marked 'Indian fort' and a trail leading from it in the direction of Piscataway Creek and the Potomac. It seems likely that this was the fort besieged in 1676.

³¹ *Trueman's Massacre*: Such was the disgraceful report which went out to the world at the time, but it is a pleasure to record that the Virginian leaders (Col. John Washington and Major Isaac Allerton: their commission is printed in *W. & M. Quar.*, iv, 86) were subsequently exonerated of all responsibility. The Susquehannock ambassadors were done to death by Maryland troops on the order of their commanding officer, Major Thomas Trueman. The Maryland Government promptly repudiated his action and impeached him. (*Md. Archives*, ii, 485.) Having, after trial, duly found him guilty, a bill of attainder was then brought in against him. The lower house of the Maryland Assembly urged, however, that Major Trueman did not deserve death, alleging that the enormity of his crime was mitigated by 'the unanimous

consent of the Virginians and the general impetuosity of the whole field, as well Marylanders as Virginians upon the sight of the Christians murdered at Mr. Hinsons.' To this the upper house replied that it was doubtful whether the evidence justified the defense that the Virginians had consented. (*Md. Archives*, ii, 501.) To clear up this point, Sir William Berkeley thereupon ordered a court of inquiry on the conduct of Col. Washington and Major Allerton, at which they completely cleared themselves. The record of this enquiry was spread on the minutes of the Westmoreland Court, where, fortunately, it remains to testify for the honour of Virginia. (*W. & M. Quar.*, ii, 38; iv, 86). Major Trueman eventually escaped with a fine and degradation from office, (Scharf, *History of Maryland*, i, 292); but even that punishment distinguishes Maryland from Massachusetts in relation to the similar and contemporary brutality of Major Samuel Moseley in King Philip's War. (See Adams' *The Founding of New England* (1921), p. 357.)

²² *Journals H. B.*, 1659-93, p. 73.

²³ So testified in 1736, Thomas Harrison (1665-1746) of Chipawansic who was one of those who withdrew from Hunting Creek in 1676 (*Westover MS.*, ed. Wynne, ii, 106). Beverley enforces this with his statement (i, § 113) 'that to this day [1705] they have seated very little beyond the boundaries that were then inhabited.'

²⁴ All the current criticism of Berkeley's decay is summed up in the Maryland pamphlet *Hue and Cry*, published in London in 1676 (*Md. Archives*, v, 134), 'Old Governor Barkley altered, by marrying a young Wyff, from his wonted publicq good to a covetous fools age, relished Indian presents.'

²⁵ *Va. Mag.*, v, 64.

²⁶ Hening, i, 293.

²⁷ Hening, ii, 326. This fort was the second on the Potomac, the first, intended as a refuge for shipping, was built in 1666 after the Dutch foray in Hampton Roads. It was at 'Yeohocomico,' in Northumberland (Hening, ii, 256; *W. & M. Quar.*, ix, 237); in 1672 it was 'very ruinous' (Hening, ii, 293, 513); in 1691 Governor Nicholson found there only 'six guns buried in the sand.' (*Cal. Am. & W. I.*, 1689-92, No. 1308.)

²⁸ See *ante.*, p. 60.

²⁹ So the Crown Commissioners testified in an annotation upon the Stafford grievances of 1677 (*Winder Transcripts*, ii, 238).

³⁰ Hening, ii, 433.

³¹ The most lucid accounts of this massacre are in the contemporary report printed in *W. & M. Quar.*, ix, 1, and Philip Ludwell's despatch to Secretary Williamson, June 28, 1676, printed in *Va. Mag.*, i, 178.

³² *Md. Archives*, xv, 149; v, 250, ff.

³³ *Handbook Am. Indians*, i, 336.

³⁴ *Winder Transcripts*, (Va. State Library), ii, 236.

³⁵ *Md. Archives*, viii, 384, 536.

³⁶ *Md. Archives*, xv, 375.

³⁷ Nanjatica, or 'Nansattico' was a village on the north shore of the Rappahannock, in King George, belonging to the Machotic group which long survived its neighbours. It is mentioned in the enumeration of the Virginia Indians, 1669 (Hening, ii, 275), and in the Virginia Indian treaty of 1677 (*Va. Mag.*, xiv, 289), and is marked on Herrman's map (1670). See *Handbook Am. Indians*, ii, 24. There was also a Maryland Indian village of that name.

CHAPTER SIX

Virginia's Contact With the Long House

SCARCELY had the Potomac settlement begun to know rest from the depredations of the Susquehannocks before that frontier was harried by a more powerful, if not terrible, native foe.

In 1675 the Long House, having definitely conquered the lands of the Conestoga on the Susquehanna, became neighbours of Maryland and Virginia. Their historian, Cadwallader Colden,¹ says that the Jesuits living among them at once egged them on to attack the surviving Algonquin tribes who had then become tributaries of the southern provinces. The purpose of this intrigue was to bring on conflict with the English and so to destroy, in the interest of France, the good relations with the Iroquois which the government of New York inherited from the Dutch. Colden broadly hints also that the Dutch traders, still resident in New York, backed up the advice of the Jesuits for their own purposes. This pleasant project narrowly failed of its objective.

The Iroquois, then generally termed Senecas by the southern people, duly inaugurated a wearing down process on the Maryland and Virginia indians; and it was for that reason, as much as to end the Susquehannock war, that Col. Henry Coursey, of the Maryland Council, was sent to Albany in the spring of 1677 as ambassador for Virginia, as well as Maryland, to make a treaty of alliance with the Long House;² and that two years later he was followed by Col. William Kendall of Virginia on the same mission.³ But the Iroquois never had the confidence in the Virginia government they had for the other colonies; and their white advisers, whoever they were, jealous of Virginia's skin trade, easily persuaded them to forget the treaty and be prepared promptly to disavow the consequences as the evil deeds of irresponsible young men. In the spring of 1681

there were new outrages on the Potomac, which Lord Baltimore⁴ described :

‘These Northern Indians pretend no desyne of mischief towards the English, but tell us they’re resolv’d to destroy all our neighbouring indians, whome when they’re subdued, conquered and destroyed, I believe their next desyne will be against the Inhabitants of both these colonies, whose stocks of cattle and hogs they already make bold with; and especially in Virginia, where these savages kill and destroy hogs and cattle afore the faces of the Owners of them, and if the English make any opposition they’re immediately fir’d at by these Indian villians.’

In Virginia a false confidence in the Iroquois treaty, as well as long experience with Maryland indians, at first lead Nicholas Spencer to suspect that the culprits must be the still powerful kinsmen of the Does. ‘It is supposed,’ he wrote to Lord Culpeper, then in England, ‘to be the work of the Nanticokes from the eastern shore across the bay. The inhabitants in their discontent irrationally attributed the massacres to the Seneca indians by the instigation of the Jesuits in Canada and the procurement of Lord Baltimore in order to cut off most of the protestants of Maryland. They have afflicted themselves with these wild and gross apprehensions for some time.’ A month later Spencer had more and better information, he had learned that the ‘inhabitants’ were only partly mistaken; whereupon, more justly than Baltimore, his instinct lead him to put his finger on the effect of the Iroquois raids, though he had not yet divined the inspiration or ultimate purpose of the policy which actuated them.⁶ Facing the unpleasant facts, he showed the degradation of fear in the suggestion of a desperate remedy :

‘The inhabitants of the extreme parts are in great fear of the Senecas who have inflicted many insolences and injuries, robbed the houses, frightened the people and wantonly and maliciously killed the stock. Either they wish to provoke the inhabitants against them, or they wish to show, by sheer mischief, how little they regard us. The consequences in either case be bad. The Senecas are so remote a people that we cannot hope to reach them at home, while it is equally difficult to find them abroad. The hazard too is great. It is a stout, numerous,

rapacious people composed of many nations, receiving all sorts of outlying indians and, therefore, an ungoverned people, with whom no treaty can be depended on. The old men say that they cannot restrain their young men. The Susquehannas who escaped the siege of the Susquehanna fort have joined the Senecas and become their people. These same Susquehannas are implacable against the English; they and other neighbouring indians moved the Senecas to their late raid to the South. We shall be infested with these so long as the Susquehannas live among them. The Senecas can be hired to do anything and the only expedient I can suggest is to bribe them to give up their Susquehannas to a neighbouring tribe to be dealt with after their manner, or to the English to be transported.'

Ludwell wrote at the same time that he had an appointment to meet Lord Baltimore in order to suggest this plan for a new St. Bartholomew's eve. It does not appear how Baltimore received the suggestion but, at all events, in the spring of 1682, Col. Coursey was sent again to Albany. His reported proceedings⁷ reveal nothing more than a formal renewal of the treaty of 1677; and as the outrages continued, it would seem that, fortunately for the reputation of all concerned, the Machiavellian policy of Messrs. Spencer and Ludwell either failed or was abandoned.

The Virginia Assembly itself had vacillated between desire to protect the frontiers and to avoid expense. In 1680⁸ they recited that 'the holding up and maintaining' of Berkeley's notorious forts at the heads of the four great rivers 'is deemed an absolute necessity . . . against the incursions of Indian enemies;' but, in November, 1682,⁹ it was comfortably resolved that the danger was 'for the most parte removed by peace concluded with those Indians then our enemies' and that the forts could be dismantled. This was promptly done, but, to salve its conscience, the Assembly adopted a practical suggestion made to them by Lord Culpeper, while on his second brief visit to the colony. This was the provision in each of the counties of Henrico, New Kent, Rappahannock and Stafford, at the expense of the colony, of small bands of volunteer light horsemen, whose duty it should be, by ranging the woods, to prevent surprise. No record of the activities of these earliest rangers has survived;

but it is apparent that they were not infallible for when Lord Howard of Effingham came out as governor at the end of 1683, he at once announced a policy of vigorous action against the Iroquois. This decision was actuated by the incursion of a large band of 'Senecas' into the Northern Neck to attack the tributary Rappahannock nation there resident, resulting in a pitched battle upon the tobacco fields where Charles Carter later built his 'Cleve.'

The New York government, mindful of their own interests, deprecated punishment and advised new efforts for peace. This counsel prevailed. Within six months of his arrival in Virginia, Lord Howard himself undertook a mission to Albany. His willingness to go to this trouble seems to have made a great impression. A treaty was duly negotiated¹⁰ and, on its ratification, each side ceremonially buried an axe in the Council House at Albany. A year later the first William Byrd and Edmund Jennings of the Council escorted to Albany a band of 'great men' of the Virginia indians, when they too received and gave a formal assurance of the covenant.

The Iroquois had agreed 'that because of the Mischief that has been done to the People and Castles of Virginia and Maryland, we must not come near the Heads of your Rivers, ncr near your Plantations, *but keep at the Foot of the Mountains*: for tho' we lay down our Arms, as Friends, we shall not be trusted for the future, but looked on as Robbers.' This was in effect a bargain by which, in consideration of immediate peace, Virginia admitted the Iroquois' title to her interior, including both sides of the Blue Ridge.

One of the consequences was that the Iroquois now established a regular road to the South, east of the Blue Ridge,¹¹ crossing the mountains at the 'indian thoroughfares,' later known as Ashby's and Williams' gaps, and so thenceforth regularly frequented the piedmont. It was in consequence of this provision of Lord Howard's treaty that for forty more years old Prince William of necessity remained a frontier of river plantations.

Although Colden suggests that the Jesuits among the Oneidas were still plotting to make trouble between their converts

and Virginia and, in 1687, seemed for a moment almost to have succeeded in consequence of a casual contest in the back woods under the Blue Ridge, Lord Howard again frustrated the intrigue. Taking advantage of his vacation in New York during the summer of 1687 once more to meet the Sachems in Albany, he renewed his former treaty; and so the Iroquois were induced to keep bright the covenant chain.¹⁷

It remained for world politics to set off the next frontier fireworks.

What the New England historians call 'King William's War' with Louis XIV, which began in 1689 and ended with the Peace of Ryswick in 1697, was fraught with fate in America, for it inaugurated the consolidation of the colonies. This process began when the English government called on the provincial assemblies to contribute 'quotas' of men and money for the common defence against the border warfare waged by Frontenac, the able French Governor of Canada. The northern colonies responded, being in great danger and suffering acutely, but Virginia merely debated, feeling herself remote from the seat of war. Governor Nicholson insistently urged the expediency of co-operation, arguing that Virginia was not as immune as she seemed to be, and specifying that there were well established war paths from the north leading to the heads of the Virginia rivers; and he sought to bring home an appreciation of these facts by sending a Virginia burgess, Miles Cary, to attend a colonial congress in New York.¹⁸ At first the Assembly refused both men and money, being persuaded, as Beverley says, that the demand was merely a scheme of New York to protect her indian trade for her own selfish advantage; but ultimately, under the spur, Virginia sent £1000 as her contribution to the imperial war chest.¹⁹ Nicholson made the best of the situation. Despite Beverley's slur that he 'knew no law except that of Morocco,' he was a real soldier, his vision was always clear and he never lacked energy. He had, too, the advantage of having learned, during his service in New York, something of the French influences at work among the northern indians and appreciated that the Iroquois now loomed as a real menace to the Virginia frontier. All of this appears from his reports, made in 1690:²⁰

'I arrived here on the 16th May and found the people in alarm at news of great depredations made by the French and Indians in New England and New York. I, therefore, went to view the heads of the rivers that lie exposed to these enemies . . . our upper plantations are remote and very open to attack, I wish an order could be sent to forbid more out plantations. In case of war with the Indians those settlers must return lower down or run great risk of being cut off. . . .

'If New England fails against Canada, the war will probably reach the head of the rivers in Pennsylvania (where little resistance is expected from the Quakers), Maryland and Virginia; for the Five Nations, though still our friends, cannot be governed as formerly. The English are distracted in their sight and the French make great offers to gain them.'

On such representations the Assembly was moved to pass its act of April, 1691, 'for the better defence of the Countrey.'^a This was a revival of Culpeper's rangers. Authority was granted Nicholson to raise 'one lieutenant, eleaven souldiers and two Indians on the head of each great river, well furnished with horses and other accoutrements to range and scout about the heads of the said great rivers for which they serve, and in such other places as shall be most likely to discover our enemies.'

The Potomac settlements were, of course, still the most exposed of any in Virginia and the minutes of the Stafford Court at the time give us a vivid picture of the 'alarums and excursions' they experienced; though as it turned out, for the moment, there was no real danger.

David Strahan, who kept the Occoquan ferry, was commissioned Lieutenant of the Potomac Rangers and at once set upon his duty, for undoubtedly there were indians in the Stafford woods. In October, 1691, John West, then living on Hunting Creek, had a visit from seven 'Senecars' who told him that they were a detachment of a hunting party then 'at Rappahannock to hunt Beaver' and had come to the Potomac to call on the Emperor of Piscataway, who had 'desired them to keep in their dogs that they might doe the Englishmen noe hurt in their Stocks and Cattle.' Wherefore they 'desired me to tell the Englishmen not to be afraid for they will or would not doe the Englishmen any hurt.' So they de-

parted 'up the River towards Sugarland a hunting.' But shortly after, the dogs of another band of indian hunters fell foul of a cow and Robert Brent lost a mare from his brother's plantation at the mouth of Little Hunting Creek. Thereupon Strahan and the rangers followed the indian tracks until, on November 25, 1691, they came upon six of them in a cabin, where they found 'the Tail and part of the skin' of Brent's missing mare. On this evidence they arrested the six indians and delivered them into the custody of the second George Mason, then sheriff of Stafford. Amid great excitement a courier was at once despatched to warn the Governor. Examination of the prisoners developed, however, that they were a party of Maryland indians under the command of the 'King of the Doegs' and had crossed the Potomac for hunting only. The 'King' testified that under instructions from the Emperor of Piscataway, he had kept his dogs muzzled while 'within range of the Stocks of the inhabitants,' (John West and John Holmes confirmed this by admitting that 'the dogs came muzzled to their houses,') and that the mare had been killed, rashly and without his consent, by 'a young man of the Mohooks being in his company,' which young man, he added, was 'ravenous in his inclinations and indeed all one a dog.' Two great men of the Maryland Najaticoes thereupon appeared in court and offered as indemnity for the mare two hundred arms length of roanoke. On this the Stafford Court released the prisoners. But the 'great fears and dread of the inhabitants' were not quieted. There were still 'daily alarms,' so on June 8, 1692, under instructions from Nicholson, the Stafford Court assembled a conference of all the justices and militia officers of the county to consider what should be done. They resolved that Strahan should 'continue his ranging in the upper Parts of the County and Freshes of Potomac,' and that his activity should be supplemented by 'ten men under the command of Capt. Thomas Owsley . . . to range and scout from above Occoquan to the head of the River.'

Upon report of this action Nicholson himself visited Stafford. In a despatch dated July 16¹⁷ he says:

'The upper parts of the Potomac were much affrighted by mischief done near the falls on both sides the river. Some of the inhabitants had left their plantations (who are since returned) and others were about to do the like (for the settlements on the Upper Potomac are very stragglingly located) but I prevented them. . . . While in Maryland, I had an account of strange Indians being on the Upper Potomac, so I went near a hundred miles on the Maryland side,¹⁸ saw its borders with this Colony and what posture of defence they were in. . . . I dare not wholly believe the accounts that are sometimes given as to our frontiers and as to the Indians, for there are conflicting interests and every man tries to promote his own interest before the King's.'

Whether or not Nicholson's peregrinations 'diverted the People from Melancholy thoughts' as his Council maintained,¹⁹ the immediate result of the Governor's visit to Stafford was to set the Potomac Rangers to work with great activity. Their report for the ensuing Summer has survived and is interesting not only as a record of a characteristic activity of Virginia frontier life, but as the first testimony from the interior since Lederer, though it takes us over an entirely different territory, and not much further afield than the heads of the creeks of what is now Prince William and Fairfax.

A Journal²⁰ of our Ranging, Given by me, David Strahane, Lieut. of the Rangers of Pottomack.

June 9th, 1692: We ranged on Ackoquane & so back of the Inhabitants & thence South. We returned & discovered nothing.

June, the 17th: We Ranged over Ackoquane & so we Ranged Round Puscattaway²¹ Neck & ther we lay that night.

And on the 18th came to Pohike & ther we heard that Capt. Masone's²² Servt. man was missing. Then we went to see if we could find him & wee followed his foot about halfe a mile, to a house that is deserted, & we took the track of a great many Indians & we followed it about 10 miles & our horses being weary & having no provisions, we was forced to returne.

June the 26th: We Ranged up to Jonathan Mathew's hs.²³ along with Capt. Masone, & ther we mett with Capt. Housely²⁴ & we sent over for the Emperour, but he would not come & we went over to the towne²⁵ & they held a *Mascomacko* [council] & ordered 20 of their Indians to goe after the Indians that carried away Capt. Masone's man, & so we returned.

July the 3d: We Ranged up Neapsico, and so back of the Inhabitants &c.

July 11th: We Ranged up to Brent-towne & ther we lay &c.

The 19th: We ranged up Ackotink & discovered nothing &c.

So we Ranged once in the week till the 20th Septbr: then we marcht to Capt. Masone's & ther we mett with Capt. Houseley & his men, so we drewed out 12 of our best horses: & so we ranged up Ackotink & ther we lay that night.

Sept. the 22d: We Ranged due North till we came to a great Runn that made into the suggar land,²⁶ & we marcht down it about 6 miles & ther we lay that night.

Sept. the 23d: We marcht to the suggar land and the 24th we Ranged about to see if we could find the trace of any Indians but we could not see any fresh sign. The 26th marcht to Capt. Masone's & there I dismissed my men till the next march,'

Such ranging continued into the new century, being stimulated from time to time by other outrages which may or may not have been perpetrated by the Iroquois;²⁷ but the real motive for the precaution is revealed by a despatch from New York by Lord Bellomont²⁸ at the beginning of 1700:

'Our 5 nations of Indians are the only Barriere at present between the French of Canada and Virginia & Maryland, as well as between the French and New York. Now if the French can so seduce those Nations as to turn them against us, Virginia and Maryland will be quite destroyed: With the greatest ease imaginable 300 of those Indians with their usual rapidity would not leave a planter or plantation in those two Provinces in two months, for the planters live scatter'd and there is not a town in either of them.'

If in the event the Iroquois never dared to declare war on Virginia, the great confederacy remained a constant cause of anxiety to the colony by reason of the persistence of its policy to absorb all the eastern tribes. This policy was extended during Spotswood's consulship beyond the Virginia tributaries to the southern indians. The methods employed varied from persuasive diplomacy to active hostilities. During the Carolina war against the Tuscaroras the Iroquois abetted that unfortunate people; but, when real assistance was not forthcoming at

the moment it was vitally needed, and the Tuscaroras were driven to a refuge 'upon the head of Roanoak' and thence scattered over the entire Virginia piedmont,²⁹ they turned against the Five Nations. In the resulting hostilities the Tuscaroras suffered³⁰ so that Spotswood was enabled to induce them, by promises of protection, to agree to concentrate on the Rapidan, there to constitute a barrier between the Virginia settlements and the Iroquois.³¹

Meanwhile, the Long House continued to frequent the piedmont of old Prince William and to engage in casual depredations. In December, 1710, a party of them appeared at the head of Rappahannock and alarmed the inhabitants of Richmond County; in the year following a 'Seneca King' was killed by a Virginian during a hunting expedition, in consequence of which there were 'frequent murders on the frontier.'³² As late as August, 1720, a hunting party of Iroquois once more forayed far down into the Northern Neck in hot pursuit of some Rappahannock indians who had been 'poaching' in the highlands, but this time the invaders were so few in number that they were ignominiously arrested by the authorities of Richmond County.³³

Spotswood chafed under these and similar insults. When in 1713, an Iroquois party plundered a trading caravan enroute from Fort Christanna to the Cherokees, he planned to lead a punitive expedition against them, but could secure no support. The hand of the Assembly was forced, however, in 1717 by an Iroquois raid against ambassadors from the Catawbias while encamped under the protection of Virginia at the very gates of Christanna.³⁴ Christopher Smith was then sent to New York to require that government to challenge the Five Nations with the fact that Lord Howard of Effingham's treaty had been violated; and that, if they wanted peace, deputies must at once come to Virginia to apologise and renew the covenant chain. On their side the Iroquois disavowed any intention to denounce their treaty with Virginia. They excused the crime of their 'young men' by rehearsing that the Catawbias had, themselves, treacherously murdered ambassadors from the Five Nations some years before, they denied that they knew these latest victims

were under the protection of Virginia, and they offered to brighten the chain if Virginia would, for that purpose, send commissioners to Albany where the original treaty had been made. Spotswood was not satisfied. He wanted to fight and, finding that the governments of Maryland and Pennsylvania agreed with him, himself posted off for New York to remonstrate with Brigadier Hunter, then Governor of that province. There he was allayed with a promise that Col. Peter Schuyler, of Albany, would make it his business to bring about a satisfactory accommodation.³⁶ Henceforth the negotiations dragged for the ensuing five years largely on the point of etiquette as to where the ambassadors should meet. Finally, in November, 1720, Spotswood wrote to Schuyler, outlining his terms, and demanding that the Five Nations should accept them as a protocol preliminary to a meeting; and in September, 1721, the Governor of New York secured such an agreement from the Indians.³⁷ A month later 'the Deputies of those five nations attended here at Williamsburg'³⁸ nominally to give assurances that a ratification would follow if Virginia sent commissioners (and, incidentally, liberal presents) to Albany, and so assuaged Spotswood's dignity. In the May following, the Assembly enacted the bargain and asked Spotswood to go to Albany himself to consummate it; representing justly enough, but in terms which flattered the Governor, that he was, in such a business, Virginia's most effective ambassador.³⁹

After bidding the Assembly an affectionate, and, as it turned out, a final, farewell,⁴⁰ Spotswood was in Albany in September, 1722, and there, in the council house where Lord Howard had buried the hatchet thirty-two years before, he exchanged ratifications of the new treaty with a great parliament of Sachems.⁴¹ By this solemn compact the Iroquois and their allies agreed never again to cross the Potomac or the Blue Ridge into Virginia without a pass from the Governor of New York, in consideration of a corresponding prohibition on the Virginia Indians. In conclusion, Spotswood romantically enough gave the Iroquois one of his golden horse shoes, advising them to bring it with them whenever they came to Virginia as friends, calling attention to the significance of the inscription.

The theatre of Virginia's contact with the Long House now shifted to the Valley, where, in 1738, Iroquois war parties, marching south by the new Warriors' Path, back of the Blue Ridge, to do battle with the Cherokee and Catawba, first committed casual outrages upon the earliest settlers of Augusta.⁴¹ When these insults were repeated, the Iroquois sachems, hard put to it to defend their young men, gradually developed an interpretation of Spotswood's treaty of 1722 to the effect that as it did not carry with it any grant of lands west of the Blue Ridge the Virginians there settled were invaders and not entitled to protection. At first Governor Gooch sought to avoid an issue on this point by arranging a peace between the Long House and the southern indians which would keep the former out of Virginia; but when those tactics failed, Thomas Lee's treaty of Lancaster followed in 1744. Thereby Virginia acquired the Iroquois title to 'all the lands within the said Colony as it is now or hereafter may be people and bounded.' It remained to have this grant specifically confirmed with reference to the proposed settlements of the Ohio Company on the river of that name, and this was accomplished by Joshua Fry's treaty of Logg's Town in 1752. Finally, Virginia was a party, in 1768, to the general treaty of all the colonies with the Six Nations at Fort Stanwix,⁴² and thus ended the chapter of her contact with the Long House.

NOTES TO CHAPTER SIX

⁴¹ *History of the Five Nations*, New York, 1727. Hugh Jones heard in Virginia the same thing of both Jesuits and Dutch (*Present State*, 1724, p. 17). Beverley (i, §95) had meanwhile brought the charge against the English indian traders in New York.

⁴² The proceedings are set out in *Md. Archives*, xv, 149; v, 250.

⁴³ *Documents . . . Colonial History of New York*, iii, 321.

⁴⁴ In his letter of July 19, 1681, printed in Scharf, i, 285. The facts on which this statement is based are given in detail in *Md. Archives*, v, 349; xvii, 96.

⁴⁵ July 25, 1681, *Cal. Am. & W. I.*, 1681-85, No. 185, where are printed also contemporary letters from Philip Ludwell to the same effect. In view of their suggestions it is of interest that the names of the authors of these letters were not made part of the official record.

⁴⁶ In 1683 Spencer felt assured that "the principal aim of the Senecas is the destruction of our neighbour indians" (*Cal. Am. & W. I.*, 1681-85,

No. 1406). He now had all the threads in hand, but had not yet taken in the pattern of the Jesuit web.

⁷ *Documents . . . Colonial History of New York*, iii, 321.

⁸ Hening, ii, 469. William Fitzhugh wrote (*Va. Mag.*, i, 28) at this time, "We are at present very quiet from our Indian enemy."

⁹ Hening, ii, 498. The provision for rangers in this act originated a policy followed in Virginia for more than a century.

¹⁰ July, 1684. The proceedings are printed in Colden, *Five Nations* (1904 ed., i, 34). See also Lord Howard's speech to the Assembly, 4 November, 1685 (*Legislative Journals of the Council*, i, 67).

¹¹ In Joshua Fry's Description of Virginia, written in May, 1751, to accompany the Fry & Jefferson map (C. O., 5: 1327, p. 363) he makes this clear. Referring to the indian road west of the Blue Ridge, established by Spotswood's Iroquois treaty of 1722, Col. Fry says: "The Indians had been ever since the year 1684 in Possession of a Road by Treaty on the east side of the Blue Ridge and frequently hunted on the Lands between the Falls of the Rivers and the Mountains."

¹² See Colden, *Five Nations* (1904 ed., i, 52), and William Fitzhugh's letter of July 4, 1687 to Nicholas Spencer (*Va. Mag.*, ii, 259). The Council minutes for October 21, 1687 (*Cal. Am. & W. I.*, 1685-88, No. 1574) give the record of Lord Howard's proceedings in Albany.

¹³ *The Virginia Carys*, 100.

¹⁴ Beverley (1705), i, 103; *Cal. Am. & W. I.*, 1693-96, *passim*; *Va. Mag.*, xxiv, 73.

¹⁵ *Cal. Am. & W. I.*, 1689-92, Nos. 1023 and 1164.

¹⁶ Hening, iii, 82; renewed annually until 1695, *ibid*, 99, 115, 119, 126.

¹⁷ *Cal. Am. & W. I.*, 1689-92, No. 2344.

¹⁸ He probably meant a hundred miles north from St. Mary's, where he says he visited the first royal Governor of Maryland—Lionel Copley—then newly installed in office. There were then no English seatings in Maryland north of the Eastern Branch, but it is possible that Nicholson went up the river as high as Great Falls.

Nicholson gave a pleasant turn to the necessity for his policy of personal energy thus illustrated. He said (*Cal. Am. & W. I.*, 1699, p. 310) that in Virginia it was not possible to repeat "the saying of Severus the Emperor who, when he lay ill of gout at York and was asked how he could govern that great Empire being lame, made answer that he did it by his head and not his heels."

¹⁹ *Va. Mag.*, xx, 124. It was on one of these visits to Stafford that William Fitzhugh entertained Nicholson and "first hansell'd" that famous silver plate in which he had invested his fortune.

²⁰ *Cal. Va. State Papers*, i, 44, printed also in *Legislative Journals of the Council*, iii, 1508. With this is a return of John Taliaferro, Lieutenant of the Rappahannock rangers of his payment to his indian scouts their statutory fee of "12 yards of Duffils" and "3 Barrells of Indian corn." Unfortunately, Taliaferro's journal of his ranging is missing. For Strahan see also *Journals H. B.*, 1659-93, p. 425.

²¹ This was, as we have already noted, the neck between Little Hunting Creek and Great Hunting Creek, lying immediately opposite the Piscataway indian town on the creek of that name in Maryland, which had been patented in 1653 and 1654 for the second Giles Brent. See his deed of April 5, 1673 (*Va. Mag.*, xvi, 100) describing it as 'commonly called and known by the name Puscattaway neck.'

²² This was the second George Mason (d. 1716) soon afterwards County Lieutenant for the northern part of Stafford, who had recently removed from his father's house Accokeek, in Potomac Neck of lower Stafford, to Pohick (Rowland, i, 20.).

²³ This was the John Matthews on whose land, below the mouth of Great Hunting Creek, Berkeley had, in 1676, built his fort against the Susquehannocks.

²⁴ This was Thomas Owsley, sometime Clerk and Burgess for Stafford, who, as we have seen, had recently been appointed to command an extra company of rangers. See his letter to Col. Addison of Maryland in *Md. Archives*, xiii, 282. In 1694 he had a Northern Neck grant of lands on Pohick adjoining the second George Mason.

²⁵ The reference is to the Emperor of Piscataway, head chief of the tributary Maryland Indians, whose relations to Virginia we are about to rehearse.

²⁶ *The Sugar Lands*: Beverley (1705, ii, 21) records that this region of sugar bearing maples on the Potomac at the present boundary of Fairfax and Loudoun had been discovered by these very rangers, but as they here mention the 'sugar land' only casually it must have been on an earlier expedition. He says that 'taking their Range through a Piece of low Ground about Forty Miles above the inhabited Parts of Patowmeck River and resting themselves in the Woods . . . observed an inspissate Juice, like Molasses, distilling from the Tree. The Heat of the Sun had candied some of this juice, which gave the Men a Curiosity to taste it. They found it Sweet and by this Process of Nature learn'd to improve it into Sugar. But these Trees growing so far above the Christian Inhabitants, it hath not yet been tried whether for Quantity or Quality it may be worth while to cultivate this Discovery . . . yet it has been known among the Indians longer than any now living can remember.'

²⁷ e. g. in 1700. See Nicholson's report to the Council in *Cal. Am. & W. I.*, 1700, No. 632.

²⁸ *Documents . . . Colonial History of New York*, iv, 609.

²⁹ The persistence of their name on the map shows that they extended their excursions across old Prince William as far north as 'Tuscarora Creek' in Loudoun.

³⁰ See *Journals H. B.*, 1712-1726, pp. 47, 63.

³¹ For the plan to seat the Tuscaroras on the Rapidan, C. O. 5: 1316, p. 162. The treaty was dated February 27, 1713/14. After recitals that the Tuscaroras had deserted their old habitations on the frontiers of North Carolina and 'for some time past continue dispersed on the north side of Roanoke River within the bounds of Virginia' where some of them had committed depredations on the English, provided (1) that the Tuscaroras should become tributaries of Virginia, paying an annual tribute of 'three Indian arrows' and should forthwith concentrate on a tract to be selected by Spottswood 'between James River and Rappahannock equivalent to six miles square whereon they may build a fort and town and make improvements,' with liberty to hunt on all unpatented lands 'between the said two rivers.' (2) In consideration of this, Spottswood agreed that Virginia would maintain 'an officer and 12 men' resident at their new fort to protect the Tuscaroras until their safety could be assured by the negotiation of a treaty of peace with 'the Senegas.' Moreover, Virginia was to send to the fort a Minister and Schoolmaster to teach the Tuscarora children English and the Christian religion, and

to appoint there 'a public Mart and Fair . . . at least six times in a year,' at which, under the supervision of Virginia magistrates, the English might resort to trade for 'skins, furs and other commodities.'

It was thus Spotswood's purpose to create another Christanna. When the Tuscaroras denounced their treaty and returned to their former habitation in North Carolina, Spotswood says. (*Spotswood Letters*, ii, 42, 58, 70, 196) that he planted the Germans, he had taken over from Graf-fenried, on the lands he had intended for the Tuscaroras, expecting these Germans to serve as a substitute barrier against the Iroquois. Thus was Germanna founded. See *post* p.

²² *Spotswood Letters*, i, 45, 141; ii, 25, 27.

²³ *Cal. Va. State Papers*, i, 199.

²⁴ *Spotswood Letters*, ii, 251; Council Journal in *Va. Mag.*, iv, 368.

²⁵ *Spotswood Letters*, ii, 258; Callaghan, *Documents . . . Colonial History of New York*, v, 490, 491. This last record is a good example of the figurative language of the Iroquois which gave great entertainment to the statesmen at St. James. Who does not remember the parody of it by the Duke of Newcastle in *Humphrey Clinker*. 'Well-pray when does your Excellency sail. For God's sake have a care of your health and eat stewed prunes in the passage. Next to your own precious health pray, my dear Excellency, take care of the five nations—our good friends the five nations. The Toryrories, the Maccollmacks, the Out-o'-the Ways, the Crickets and the Kickshaws. Let 'em have plenty of blankets and stinkubuss and wampum; and your Excellency won't fail to scour the kettle and boil the chain and bury the tree, and plant the hatchet.'

²⁶ *Spotswood Letters*, ii, 261.

²⁷ *Pa. Colonial Records*, iii, 82; Callaghan, v, 637, 639.

²⁸ Council Journal, November 1, 1722, in *Va. Mag.*, xii, 340.

²⁹ *Journals H. B.*, 1712-1726, pp. 319, 347, 350, 354; Hening, iv, 103,

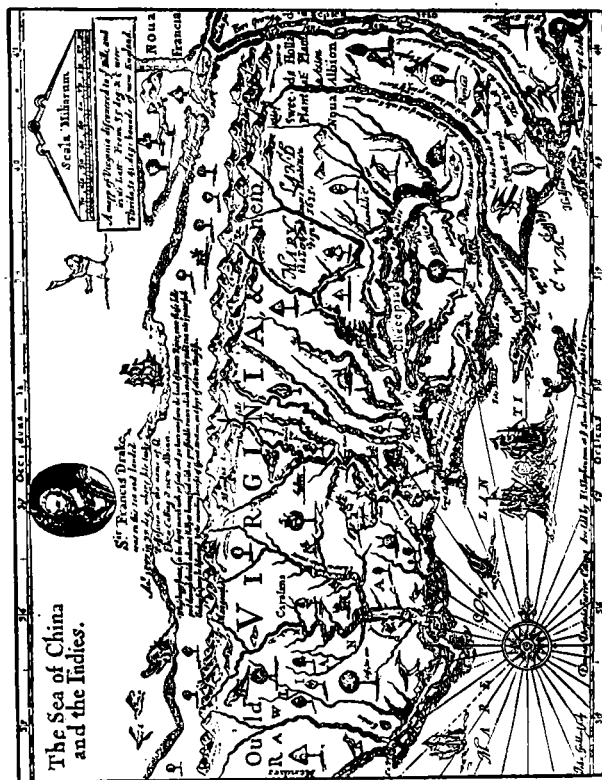
³⁰ *The Supersession of Spotswood*: It was during this absence that Spotswood was superseded by the arrival in Virginia of Drysdale with a commission as his successor. The cause of this action at this particular time has puzzled the historians, e. g., Dr. McIlwaine's note in *Journals H. B.*, 1712-26, p. xlv. It may be conjectured that Spotswood had written his own official obituary in 1719 (*Spotswood Letters*, ii, 315) when in the midst of his quarrel with Ludwell, Byrd and the others of the 'Luck of Hundred,' the 'Cataline Crew of Male Contents,' as he had picturesquely denominated the Burwell faction, he predicted to the Board of Trade that in consequence of the clamours against him, 'his Maj'tie's Ministers will at length be so tired out that they must for their own quiet change the Administration.' It must be remembered that Spotswood had offended Micajah Perry and that the autocrat of the Virginia Coffee House never forgot a slight.

³¹ Callaghan, v, 669, 677. The discussion leading up to the treaty is printed also in *Westover MS.*, ed. Wynne, ii, 249.

³² See Gooch's speech to the Assembly in November, 1738 (*Journals H. B.*, 1727-40, p. 321). There was another such encounter in 1742 (*Va. Mag.*, xxx, 303). The excuse of the Iroquois sachems, expressed then and reiterated at the Treaty of Lancaster, was that the Treaty of Albany forbade Virginians to pass the Blue Ridge. The terms of the Treaty of Albany on this point were clear; the prohibition was limited to the Virginia *indians*. And yet there is curious contemporay evidence that others than the Iroquois interpreted Spotswood's covenant as they

did. The famous Quaker preacher, Thomas Chalkley, was in Virginia in 1738 at the time of the fight in Augusta. He wrote to his fellow religionists, then seated in the Opeckon in the lower Valley, on May 21, 1738 (Thomas Chalkley's *Journal*, Phila., 1808, p. 277; the letter is printed also in Kercheval, *History of the Valley* (1902 ed.), p. 42): 'the Virginians have made an agreement with the natives to go as far as the mountains but no farther . . . The English going beyond the bounds of their agreement, eleven of them were killed by the Indians, while we were travelling in Virginia.'

⁴⁸ The Treaty of Lancaster of 1744 is printed in *Va. Mag.*, xiii, 141, that of Logg's Town, 1752, *ibid.*, 143, and that of Fort Stanwix, 1768, *ibid.*, 23.



VIRGINIA FERRAR, 1651.

CHAPTER SEVEN

The Migration of the Piscataways

THE Algonquin tribe, which Smith found established above the narrows of the Potomac and describes as Moyaones, are known to the ethnologist as Conoy.¹ They were close akin to, if they were not identical with, their nearest neighbours, the Anacostans, being like the Doegs also derived from the Eastern Shore Nanticoke. In 1608 they were, as we have seen, already beginning to throw off the dominion Powhatan had asserted over them, and on the death of that potentate they must have become quite independent; for, in 1622, the King of Potomac, charged with the duty of collecting their tribute, held them to be his mortal enemies.² Henry Fleet, who knew them well by reason of his long residence among them, gave the key to their politics and to their subsequent history, which we are about to relate, in the statement³ that,

‘there is but little friendship between the Emperor [Powhatan] and the Nacostins, he being fearful to punish them because they are protected by the Massomacks or Cannyda Indians [meaning the Iroquois], who have used to convey all such English truck as cometh into the river [Potomac] to the Massomecks.’

When Leonard Calvert arrived, in 1635, he found the Conoy established in a recognised leadership of the southern Maryland tribes with their capital on that Piscataway Creek which empties into the Potomac ‘near opposite’ Mount Vernon. Thenceforth the Conoy were known in Maryland and Virginia history as the Piscataways, and their chief was given the old world title of Emperor.

The Maryland colony was, from the first, most successful in winning the confidence of the ‘Emperor of Piscataway’ and, in consequence, had little trouble with their immediate indian neighbours. In 1640, indeed, Father White and his Jesuit aides

succeeded in converting and baptizing the 'Tayac' (as they called the Emperor) and all his family. They then took his daughter and only child to St. Mary's and educated her as a christian. This Mary thus became the Maryland Pocahontas: as we have seen, she married an Englishman, Capt. Giles Brent, then of the Maryland Council, and, with him, reared a dusky race. In 1666 the Maryland government cemented these relations by making a formal treaty with a successor Emperor and thenceforth the Piscataways were tributaries.⁴ As the English settlements spread, new lands were assigned to them north of the Eastern Branch and they apparently resided for some years on the site of Washington city,⁵ probably at the mouth of Rock Creek. In consequence of their taking the field with the Maryland troops in the Susquehannock war of 1676, they earned the hatred of the Iroquois, and in 1680 petitioned for, and were granted, permission to move back among the Maryland inhabitants as protection against incursions of these enemies. A location was then found for them in Zachaia Swamp,⁶ on what is now called Mattawoman Creek, in Charles County, but even there they had to withstand a siege of the Iroquois in 1681, while Maryland hesitated about going to their assistance.⁷

At the treaty of Lancaster in 1744, the Iroquois maintained that they had 'conquered' the Piscataways as well as the Susquehannocks, but it does not appear that in both cases they did so in the field. It seems that it was the practice of the Maryland indians to poach in the Iroquois' hunting preserve in the interior of old Prince William and, undoubtedly, during the decade after the unsuccessful siege of Zachaia fort, whenever the Iroquois caught them in Virginia they ruthlessly cut them off; but the ultimate subjection of the Piscataways was accomplished more by guile than by arms. The Long House taunted them with the failure of Maryland to protect them in 1681, pointed out that they were become mere women living surrounded by the English, and beckoned them to join forces with those who could and would make men of them. By the end of the century these temptations became resistless. The Emperor complained to the Maryland government that he was unable to control his young men; that they were being seduced by evil

influences. Eventually radical counsels prevailed at Zachaia and the whole tribe abandoned Maryland. Suddenly and without warning, but, of course, with the consent of the Iroquois, the Piscataways moved across the Potomac and into the back country of old Prince William, and thus came into direct contact with the Virginia government.

The immediate cause of this move was dramatic enough.*

Early in the spring of 1697 an indian of the Maryland Pamunkeys, called Squire Tom, was hunting at the falls of the Potomac and there fell in with 'some of those Seniquos that live in the mountains, amongst which last was a Susquehanah, a great man, whose name is Mongres.' This Mongres took Squire Tom apart, 'p'sented him with a large belt of Peak and told him his Nation was Ruin'd by the English assisted by Piscattoways, & th' now they were no People, that he had still tears in his Eyes when he thought of it.' Wherefore the wily Mongres confided to Tom that 'not being able to doe anything in Publique he must take his Revenge in private,' and he added that it would be easy to contrive that any crime he committed should be laid to the Emperor of Piscataway. The guileless Tom, flattered by the confidence, was stirred to see in all this an opportunity to distinguish himself, which, of course, was exactly what Mongres had intended. He proceeded forthwith to enlist seven others of his tribesmen and with their aid murdered the wife of one William Wigenton and three children at an outlying house on the head of Aquia. Though they escaped to the woods, Tom and his colleagues were soon run down and apprehended by George Mason, who brought them before the Stafford Court, where they duly testified that the Emperor was the real criminal. Much alarmed, that potentate came over to Stafford and vigorously defended himself, finally extracting a confession of the true story from one of Tom's accomplices. Stafford thereupon hanged seven of the criminals, but, to the chagrin of all the frontier, Tom himself escaped. He fled into Maryland where Nicholson, now Governor of that province, issued a futile proclamation offering a reward for his arrest. Tom had been spirited away by the Iroquois and disappeared forever from the stage of history.*

In the midst of this confusion George Mason wrote to Col. Addison that the country 'is so Dam'd full of lyes that I know not how allmost to act.' If this was his situation, that of the Emperor was worse. His people had become flatulent with rumours that the Maryland government was resolved to destroy them; and then it was that the migration began. It seems clear that the Piscataways crossed the Potomac at Little Falls and made their way west, above the Stafford settlements, to some place between the Bull Run Mountain and the Blue Ridge, that is to say, to the upper end of Fauquier.

At the meeting of the Virginia Assembly in October, 1697, Governor Andros made a speech¹⁰ in which he announced that:

'Soon after your adjournement, the Piscataway Indians living on the North side of Potomack River, in Maryland, came over to settle on this side, and notwithstanding my reiterate Directions and Orders to the Chief Officers in Stafford County, have not been prevailed with to returne to Maryland, but remaine back in the Woods beyond the little mountains.'

In Maryland the report was that the Emperor had established himself at a fort 'beyond the ffirst mountain' of Virginia. When Thomas Tench and John Addison of the Maryland Council visited this fort a little later in the endeavor to persuade the Emperor to return to Maryland, they described their journey from Capt. Mason's house on Pohick, as follows:

'About nine a Clock, being the ninth, we set out towards the Mountains, and, with much difficulty forcing through thickets and deep Runnes of water where no path appeared, we got within Seven miles of the Indian ffort and lodged that night. Early the next morning, being Thursday the 10th instant, we got to the ffoot of the Mountain, from thence toyled in walking up and down the sd. mountain to the ffort, which Judged to be at least two miles.¹¹ The sd. ffort is built between two mountains and corn planted on the West side.'

These descriptions, coupled with the fact that there exist at 'Yelverton,' near The Plains, archeologically late remains of an indian village, work shop and cemetery,¹² in a country which never had a settled indian population, are strongly per-

suasive that the first halting place of the Emperor was in the valley between Pignut and the head of the Rappahannock range of Fauquier.

The migration of the Piscataways greatly disturbed the governments, both of Maryland and Virginia, for it was deemed ominous of such subjection to the Five Nations as, it seemed, inevitably must breed trouble. Every effort was made to get the Emperor to return to Maryland. He was consistently cheerful in the presence of all the ambassadors who were sent to him, and willingly promised anything they asked, but he did nothing at all. In the Assemblies of both provinces a resort to force was debated but both discreetly concluded that that was inadvisable,²³ and so the Emperor was not molested. Perhaps his bacon was saved by a diplomatic discussion as to jurisdiction arising between Andros and Nicholson²⁴; which was not allayed by charges, vocally preferred by the Maryland indian traders, that the migration had been promoted by the Virginia indian traders in order to get the custom of the Piscataways. Nicholson had to be content to keep up the morale of his other tributaries, who remained restlessly in Maryland, by advising them that 'he could have the Emperor of Piscattoway & his Indians knocked in the head, but that he lets them alone to be sick & starve in the Mountains.'

This was not mere boasting. The transplanted Piscataways soon began to feel the lack of the supply of fresh fish on which from time out of mind they had largely subsisted. Under such an economic pressure the Emperor made another move and in the spring of 1699 established himself on that large island in the Potomac at Point of Rocks, thenceforth for long known as 'Conoy Island.'²⁵ There he built a new fort for his ninety bowmen. Contemporaneously several more horrid murders of English women and children in the Hunting Creek neighbourhood²⁶ stirred Stafford to new appreciation of the danger from this Piscataway stronghold. It was admitted that probably the outrages had been committed by roving Senecas and not by Piscataways but it was believed that the criminals, whoever they were, made their headquarters with the Emperor.²⁷ The Stafford court thereupon again appealed to the Governor

for help to remove this nest of danger to the whole frontier, and the Council decided to invite the Emperor to Williamsburg for conference. By direction of Nicholson, now once more Governor of Virginia, the Stafford court sent two of its members, Giles Vandercastel and Burr Harrison, to carry the summons. Their report¹⁹ shows that the Emperor was wary but hardly polite: he said he was 'very Bussey and could not possibly come or goe down, but if his Excellency would be pleased to come to him, sume of his great men should be glad to see him . . . ffor he desired nothing butt peace.' Governor Nicholson, being a soldier and anticipating that he might be required to lead a punitive expedition against Conoy Island, had ordered that the Stafford ambassadors report an itinerary of their journey. We thus have the earliest record of details of the topography of northern Fairfax and Loudoun beyond the limits of the rangers of 1692. The report, from which we have quoted, begins:

'The Distance from the inhabitance [to Conoy Island] is about seventy miles, as we conceive by our Journeys. The 16th of this Instance Aprill we set out from the Inhabitance and ffound a good track ffor five miles, all the rest of the daye's Journey very Grubby and hilly, Except sum small patches; but very well for horse, tho nott good for cartes, and butt one runn of any danger in a ffresh and then very bad.¹⁹ That night lay at the sugar land, which Judge to be fforty miles.

'The 17th day we sett the River by a small Compaize, and found itt lay up N. W. by N. and afterwards sett it ffoure times and alwayes ffound itt neere the same corse. We generally kept about one mile ffrom the River.

'About seven or eight miles above the sugar land we came to a broad Branch of about fifty or sixty yards wide: a still or small streeme; itt took oure horses up to the Belleys, very good going in and out.²⁰

'About six miles ffurther came to another greate branch of about sixty or seventy yeards wide with a strong streeme making ffall with large stones, that caused our horses sometimes to be up to their Belleyes and sume times nott above their knees; so we conceive if a ffresh then nott ffordable.²¹

'Thence in a small Treck to a smaller Runn,²² about six miles, Indeferent very.

'And soe held on till we came within six or seven miles of the forte or Island, and then very Grubby and greate stones

standing Above the ground like heavy [hay] cocks;²³ then hold for three or ffoure miles, and then shorte Ridgges with small Runns untill we came to the forte or Island.'

Again there was no war. Virginia continued to send embassies asking them to go away, but the Piscataways persisted in their refusal to have anything to do with that government. The diplomacy of Maryland was, however, eventually more successful; for in June, 1700, Governor Blakiston was able to report that the Emperor had come in and was then again established in Charles County.²⁴ But he did not bring all his people with him. The next year orders were given the Maryland rangers to resume their duty 'because the affair of the Piscattaway and Aquakick indians does not yet seem to have the wisht for conclusion of being come in and quietly settled among us.'²⁵

And so it was that when, in 1712, Christopher de Graffenried visited the upper Potomac to investigate for himself the possibilities of establishing a colony on the Shenandoah,²⁶ he found the Piscataways very much at home on Conoy Island. He called their village *Canavest*²⁷ and, in doing so, recorded²⁸ some new topography:

'When we came to a small village called Canavest, a very pleasant and enchanting spot about 40 miles above the falls of the Potomac, we found a troop of savages established there, and in particular a Frenchman from Canada, named Martin Charetier,²⁹ who had married an Indian woman or savage. He was in great credit among the savages beyond Pennsylvania and Maryland, and at the alluring proposals of Mr. M.³⁰ had settled himself there, leaving for this his place where he was well established in Pennsylvania. This same Martin Charetier had also made the journey to Senantona³¹ to look for mines with Mr. M. and contributed a good sum of money to it. This man warned us that the Indians, who were in the vicinity of this mountain of S. where the mines were said to be, were much alarmed by the war which we were having with the Tuscaroras,³² and told us not to risk ourselves on so dangerous a journey without necessity. We gave heed to this, postponing the plan for a more secure occasion and time. We made an alliance, however, with these Indians of Canavest, a very necessary thing, in connection with the mines which we hoped to find in that

vicinity, as well as on account of the establishment which we had resolved to make in these parts of our small Bernese colony which we were waiting for. After that we visited those beautiful spots of the country, those enchanted islands in the Potomac River above the falls. And from there, on our return, we ascended a high mountain standing alone in the midst of a vast flat stretch of country, called because of its form Sugar Loaf^m which means in French pain de sucre, taking with us a surveyor, the above named Martin Charetier, and some savages. From this mountain we saw a great extent of country, a part of Virginia, Maryland, Pennsylvania and Carolina. By use of the compass we made a map, and observed particularly the mountain Senantona where our mines were said to be. We found that this mine was situated beyond Virginia,ⁿ and not beyond Pennsylvania as indicated on the map which had been given us.'

The maps to which Graffenried here refers^o give us not only further detail of local topography but an intimate picture of the life of the Piscataways on Conoy Island. Michel had pictured four wild geese on the islands in the Potomac just below the Catoctin hills, while a noble swan stands proudly on the site of Leesburg. Graffenried, on his map, shows a stream omitted by Michel, flowing from a source in the Blue Ridge and emptying into the Potomac near the spot occupied by Michel's geese. He labels this 'R. de Hiccari' but inserts in its fork with the Potomac a significant inscription, reading (in French) 'There is in Winter such a prodigious number of swans, geese and ducks on this river from Canavest to the Falls that the Indians make a trade of their feathers.' When we find this stream labeled 'Goose R.' on the Gooch and Keith maps and 'Cokongoloto *anglice* Goose Creek' by John Warner, it appears not only that Graffenried was the first to map one of the most important of the natural features of modern Loudoun but that at the beginning of the eighteenth century the green and charming Valley it drains was at once a sportsman's paradise and an emporium of Indian millinery.^p

The Piscataways continued to hold Conoy Island until Spotswood's diplomacy, at the treaty of Albany in 1722, persuaded the Iroquois, whose subjects they had now certainly become, to move them north to a new home near Bainbridge, Pennsylvania. Steadily herded thence, at last they reached

Ohio where, reduced to inanition as a people, they were mingled with other translated tidewater tribes and finally disappeared.⁷⁷

It seems probable that during this process the last Emperor and some few followers remained in Maryland. At all events, there are today in Prince Georges and Charles counties several hundred people of mixed indian, white and negro blood who live apart from their neighbours and distinguish their exclusiveness by calling themselves 'We-Sort,' meaning 'Our Sort.'⁷⁸ They are reputed to be descendants of the Emperor of Piscataway in the same sense that the surviving mixed blood Pamunkkeys, living on the Virginia river which bears their name, are descendants of Powhatan.

NOTES TO CHAPTER SEVEN

⁷⁵ *Handbook Am. Indians*, i, 339, 953.

⁷⁶ *Smith's Works*, ed. Arber, ii, 586. It was this enmity which brought on Jamestown's war with the Nacotchtanks in 1622-23. See *ante.*, p.

⁷⁷ Henry Fleet's *Journal* (printed in Neill, *Founders of Maryland*, 1876), p. 25.

⁷⁸ *Md. Archives*, ii, 25, 488; v, 65.

⁷⁹ That careful student of Maryland records, Mr. S. F. Streeter, said (*Historical Magazine*, 1857, i, 65) that this move took place in 1673, but his authority for the date is lacking. On Herrman's map (1673) 'Piscataway towne' is shown on Piscataway Creek, while the Mt. Vernon grant of 1675 locates that property as 'in the ffreshes of the Pottomeek River and neare opposite to Piscataway indian towne of Mariland.' There are, however, several later references (e. g., *Md. Archives*, xx, iii, 244; *Cal. Am. & W. I.*, 1700, No. 287) to a Piscataway fort on Rock Creek.

⁸⁰ *Md. Archives*, xv, 303. The site is marked on Hermann's map (1673), 'Zachkia Swamp als. Pangayo.' It was thus that for some years they are described in the Maryland and Virginia records as 'Zachaia indians.'

⁸¹ *Md. Archives*, vii, 270.

⁸² The story is told in detail by the contemporary correspondence recorded in the minutes of the Maryland Council, *Md. Archives*, xxiii, 142-146, 182-188, 226, 295-302, 325.

⁸³ Squire Tom remained a bogy to frighten the frontiersman for some years. See the petition in which he is named, long after his disappearance, in *Journals H. B.*, 1695-1702, p. 194; *Legislative Journals of the Council*, iii, 1517. Squire Tom, himself, is well lost to view, but one wishes there was more to record of Mongres.

¹⁰ *Journals H. B.*, 1695-1702, pp. 105, 109, and printed also in *Cal. Va. State Papers*, i, 55.

¹¹ It is evident that they missed what is now known as the Thoroughfare Gap and so had to climb the Bull Run Mountain, but on their return journey they must have found the gap for there is no further mention of mountain climbing. They did, however, then get lost in the woods of Bull Run, to wander aimlessly until they came upon the forest plantation of Giles Vandercastel on the upper waters of Acotink.

¹² See Miss Annie Lee Peyton's paper in the *Smithsonian Report*, 1879, p. 447.

¹³ *Journals H. B.*, 1695-1702, pp. 113, 159; *Maryland Archives*, xxii, 33, 89, 127.

¹⁴ There is a most amusing report of the embassy of Messrs. Thomas Tench and William Dent to Andros at Jamestown in November, 1697, with an account of a visit to the new college of William and Mary and an incidental rehearsal of the uses of hospitality in promoting diplomacy. *Md. Archives*, xxiii, 295.

¹⁵ It is so marked on Jefferson and Brooke's map (1746), on Fry and Jefferson's (1751), and on Thomas Jefferson's (1787), but is now marked 'Heaters Island' on the U. S. topographical survey map, a regrettable example of the loss of an historically significant name.

¹⁶ See Col. Mason's reports in *Cal. Va. State Papers*, i, 69; *Journals H. B.*, 1695-1702, p. 158.

¹⁷ *Journals H. B.*, 1695-1702, p. 158.

¹⁸ *Cal. Va. State Papers*, i, 63.

¹⁹ Difficult Run.

²⁰ Broad Run.

²¹ Goose Creek.

²² Limestone Creek.

²³ The phenomenon which gives Point of Rocks its name.

²⁴ *Cal. Am. & W. I.*, 1700, Nos. 297, 417, 418, 599.

²⁵ *Ibid.*, 1701, No. 447.

²⁶ See *post*, p. 613.

²⁷ The ethnologists relate the names *Conoy* and *Canavest* to *Kanawha*, and argue that this is evidence that the Nanticoke reached the sea coast from a place of origin on the south bank of the Ohio.

²⁸ In the French version of his *Journal*. Todd, *Graffenried* (1920), p. 347.

²⁹ *Martin Charetier*: In 1692 a large band of strange indians turned up at Augustine Herrman's Bohemia Manor, at the head of Chesapeake Bay, and asked permission to remain. They said they were 'Stabber-nowles,' that they had 'come from the southward, formerly fled from the Twittaweews [Miami].' With them was a Frenchman with an indian wife. At first he was identified, with picturesque detail, by some imaginative Marylanders who had been in New England, as 'Mons Casteene, the grand Enemy of the English [in Maine] . . . but since upon better Enquiry and examination we find our mistake and him another person named Martin Shortive' (*Md. Archives*, viii, 486, 524). This was, undoubtedly, the Charetier Graffenried found on the Potomac some years later.

³⁰ Franz Louis Michel was Graffenried's partner and fellow Swiss,

who had, in 1706, explored the Shenandoah River and claimed to have discovered that silver mine in Massanutten mountain which the settlers of Germanna were invited over to exploit. Mr. C. E. Kemper says that the tradition persists in the Valley to this day that there is silver ore in the Massanutten hills.

²¹ This was intended for *Shenandoah*.

²² Referring to the Tuscarora war in North Carolina, following the massacre of 1711, which destroyed the New Bern colony. What alarmed the Shawnees in the valley (then in alliance with the Iroquois) was a breach of faith with the Tuscarora after peace had been made. See *Handbook Am. Indians*, ii, 842.

²³ Sugar Loaf still bears that name as the most conspicuous natural feature of Maryland looking across the Potomac from Loudoun.

²⁴ That is to say, beyond the Blue Ridge.

²⁵ See *post*, p. 613.

²⁶ *Cokongoloto*: Thus also is derived the name of that other Goose Creek in Maryland which once flowed beneath the site of the Capitol of the United States and gave Tom Moore a laugh when it was called Tiber.

Northern Virginia has already forgotten the wealth of water fowl it had less than a century ago. As late as 1828 Capt. Basil Hall (*Travels in North America*, London, 1829) describing his sail down the Potomac from Washington to Potomac Creek, speaks of 'cutting our way through myriads of canvass back ducks which literally blackened the surface of the water till our paddles set them up.' This is amply confirmed not only as to ducks but as to geese and swans as well, by the spirited articles in Sears' *United States* (1828) p. 310, and Martin's *Gazetteer of Virginia* (1836) p. 482. The description there given of 'tolling' swans with a dog and of stalking geese from the cover of a horse are truly delightful. The Summer duck (*Anas Sponsa*, Linn.) was the only one of his family who bred among us, and he has left his name on the map of lower Fauquier, to match his cousin, the goose of the upper end.

²⁷ *Handbook Am. Indians*, i, 339.

²⁸ Mooney in *Thirty-fifth Annual Report Bureau of Ethnology* (1921), p. 17.

PART TWO

The Pioneers on the Potomac

CHAPTER EIGHT

Chotank

THE story of the plantation life of George Washington and his more intimate friends in the Mt. Vernon neighbourhood has been told so often and so well and has such a strong hold on the imagination that one finds it difficult to realize how late that society was in blossoming. Before a just estimate can be made of the pioneers of the region it is, then, necessary to clear the mind of preconceptions. A few dates will suffice for this. It was not until nearly the middle of the eighteenth century that those whom Dr. Moncure Conway has picturesquely styled the Barons of the Potomac, seated themselves in old Prince William. Even after that, such traditional northern Virginia worthies as the Lees and Fitzhughs still maintained their residences below Potomac Creek. The second George Mason had, indeed, about 1690, established himself on Pohick and there his son, the third of the name, lived after him until, about 1730, he moved across the Potomac to Chickamuxon Creek, in Charles County, Maryland;¹ but the Mason house at Pohick was so much an outpost of civilization that it was named in Spotswood's treaty with the Iroquois of 1722 as the place on the frontier where the indians were to deliver runaway slaves falling into their hands.

It was not until 1734 that Capt. Augustine Washington, seeking a healthier residence for the young children of his second wife, moved from his grandfather's house, Wakefield, on Pope's Creek in Westmoreland, to the high land of the plantation on Little Hunting Creek, which likewise he had inherited from his grandfather, but he, too, was only a temporary resident of old Prince William; for, in 1739, when his modest home was destroyed by fire, he moved again to the house where he died, on the north bank of the Rappahannock, opposite Fredericksburg.²

It was not until the spring of 1741 that William Fairfax

established his residence on the south bank of Dogue Run and built Belvoir,³ where Lawrence Washington married his daughter in 1743; and it was not until after that marriage that the original part of the present house at Mt. Vernon was finished.⁴ It was not until 1746 that the fourth George Mason came of age and removed from Marlboroughtown to his property on Dogue Neck, below Pohick Bay, where he built Gunston Hall in 1758.⁵

But as there were *fortes ante Agamemnona* so there was a highly coloured life on the upper Potomac many years before George Washington's chariot lumbered through the mud of Fairfax County roads. It did not, however, make up such a civilization as the 'Barons' developed a century later. The fact is that the crepuscular society of old Prince William was necessarily crude. Many of its characteristics may doubtless be traced to the fact that the lands in the 'freshes' were originally taken up, as we have already noted, by speculative non-residents, so that when actual planting began and Stafford was organized, the upper end of the community became, as it long remained, largely one of 'quarters' worked by indentured servants, who soon became yeoman planters on their own account. It was for this reason that the Stafford families of light and leading, residing on and below Potomac Creek, assumed as a badge of social distinction the designation, 'Chotank,' and continued to wear it long after that lower parish had been given its later name, 'St. Pauls.'" Here, indeed, there was practised before the end of the seventeenth century the baronial hospitality which has coloured so much romantic literature. It will suffice to make the point by citing an entertaining account of a Christmas frolic at 'Bedford' in 1686, matching that of 'Old King Cole' himself, which was recorded by a Huguenot gentleman. He had been a guest of Ralph Wormeley at 'Rosegill,' in Middlesex, and was escorted by his host *en route* to Maryland. After they had crossed the Rappahannock into the Northern Neck the narrator continues:⁷

'Mr. Wormeley is so beloved and esteemed in these parts that all the gentlemen of consideration in the countryside came

to meet him and, as they would not leave, it resulted that by the time we reached Col. Fitzhugh's we made up a troop of 20 horse. The Colonel's accommodations were, however, so ample that this company gave him no trouble at all; we were all given beds, though we had to double up. Colonel Fitzhugh showed us the largest hospitality. He had good wine and all other things to drink, and a frolic ensued. He called in three fiddlers, a clown, a tight rope dancer and an acrobatic tumbler, and gave us all the divertissement one could wish. It was very cold but no one thought of going near the fire because they never put less than the trunk of a tree upon it and so the entire room was kept warm.'

In contrast to this nascent aristocracy, the majority of the population, including the first residents of the 'freshes' and the early yeomen of Chotank itself, though a vigorous race and having outstanding individuals among them, did not bear the reputation of being given to the amenities. Beverley refers to their characteristics as bad manners and 'tarpaulin language.'

We have seen some of these men in action in relation to the Indians, and we now turn to such glimpses as the surviving records enable us to have of their domestic life.

To clear one's mind of the prepossession of those pious traditions which have somewhat distorted Virginia's past in the minds of many of us, it is necessary to realize that until well into the eighteenth century Stafford was such a small frontier outpost as has been since reproduced down to the present generation, many times in the process of western expansion of America. Its difference from similar communities of later days was chiefly that it was purely English, in blood and breeding. Wide as was the nominal area of the county, until after 1724 the total population was little more than that of one of our court house towns today.⁹ Most of that limited population was grouped about Potomac Creek so that those who lived further to the north were scattered over widely separated plantations. It is not surprising then to find, in the recurring difficulty experienced in filling vacancies in the county court, convincing testimony of the small proportion of educated men who resided on this frontier. This limitation, natural under the actual conditions, became indeed acute in the second gener-

ation after the English bred immigrants had passed off the scene. Henry Meese, who established himself on Potomac Creek in 1665, and at once became County Lieutenant of Stafford, was sworn of the Council after Bacon's Rebellion; but he soon returned to England and the territory of old Prince William did not again have the honour of that supreme provincial dignity for sixty years.¹⁰ The Stafford families which stand out in social distinction during the latter years of the seventeenth century in addition to the Brents, Masons and Fitzhughs, were Williams, Heaberd, Dowding, Fossaker, Townshend, Norgrove, Mildmay and Travers. None of these survived into the eighteenth century, but their places were filled by the Chotankers, whose roll may be called with equal brevity: Alexander, Bernard, Buckner, Clifton, Dade, Fitzhugh, Foote, Hedgman, Hooe, Massey, Stuart, Thornton, Washington.¹¹

Until long after the American Revolution, the important office of County Clerk was always held by a man of education; and in Stafford during the seventeenth century the Clerks were Anthony Bridges, Samuel Haywood, John Withers, Thomas Owsley, Thomas Claiborne and the second William Fitzhugh. At the end of the century Malachi Peale (who lived on that tract of Giles Brent's land between Potomac Creek and Aquia which was known as Peale's Neck and Potomac Neck long before it was known as Marlborough Neck) and Martin Scarlet of Burbages Neck on Neapsco, loom of local importance. Edward Maddocks, who married the widow of the first George Mason, and Edmond Helder,¹² were the physicians. The first lawyers, men of education and parts, as revealed by their pleadings, were Gerard Lowther, Francis Hammersley, George Brent of Woodstock (who began his career as a surveyor) and the first William Fitzhugh.

The greater part of the time of the county court was, of course, taken up with a mill of petty lawsuits to collect debts, to adjust disputed land titles and to interpret wills, but its more characteristic business, racy of the time, was the regulation of the morals of the community by means of that social engine which has recently been dubbed 'pitiless publicity.' The equipment of stocks and pillory was constantly in use 'for the

punishment of Drunkards, Rioters and Tumultuous Persons, Swearers, profaners of the Lord's name.' The records show many examples of discipline by public odium for such offenses, but reveal also adjudged cheats sitting in the stocks, bearing placards with inscriptions 'in capital letters' announcing their offense; while 'pilfering persons,' mutinous servants and fornicators publicly receive lashes 'well laid on.' The court undertakes not only to capture and return a runaway wife, but requires those who insulted its dignity humbly to apologise on bare and bended knees in its presence 'and before the whole country.' A constant endeavor of the court is to secure a true return of tithables for the purpose of the poll tax, for it seems then to have been as epidemic a vice to conceal the full enumeration of the roster of a plantation as it was, against the statute in such cases made and provided, 'to tend Seconds.' In this relation also we see the court following one of Virginia's earliest practices by exempting from taxation in their old age those who were needy and had been 'long livers' in the community.¹³ Another frequently exercised function, indicating the source of the steady increase of local population, was to issue certificates of immigration as the basis of head rights for land grants.¹⁴

The people, even the gentry, lived at home in the utmost simplicity. Thus in 1691 the widow of Edward Mason received as her paraphernalia from her husband's estate such a homely equipment as 'one Bed and Covering, one small Chest and Box, one small Case, one old brass Candlestick, one old Warming Pan, one Pestle,¹⁵ one old iron box, one pair of Bellows, one old Frying pan, Two dishes, Two plates, one old Bason, one old Pewter Pott, and three Trayes.'

The Huguenot gentleman already quoted gives a convincing description of a typical plantation in 1686.

'People are well lodged in this country,' he says.¹⁶ 'The houses are all of wood. The roofs are made of oak shingles, and the walls of clapboard. Those who are even tolerably well off ceil them on the inside with mortar made of oyster shell lime, which leaves the walls as white as snow. However mean these houses may appear on the outside, for one sees nothing but wood, within they are most agreeable, well glazed and well

ventilated. They make plenty of bricks and I have seen several houses of which the walls were entirely of brick. Whatever their condition may be, for what reason I do not know, they build their houses of two rooms only and several closets, all on the ground floor, with but one or two prophets chambers above; but if they need them, they build several such houses. They have also a separate kitchen, a separate house for the Christian servants and a separate house for the negro slaves, and several houses in which to cure tobacco. So it is that arriving at the residence of a person of some consideration, you would think that you were entering a village. Few ever lock the doors of their houses, because stealing is almost unknown. . . . There are no stables for they never house their cattle, but let them run in the woods. The only risk is of wolves.'

At this time Virginia drew all her merchandise from England, not only hardware but clothes, nay even woodenware and such other things as might easily have been manufactured in the colony. There were, however, no 'store keepers' in the modern sense of one who exposed for sale at all times a stock of general merchandise. The words store and storekeeper had, indeed, already been localized, but they connoted the temporary deposit of the cargo of a ship, exposed for sale. The ship master peddled his principal's wares from creek to creek, bringing the 'store' practically to the door of every planter." The record of a lawsuit in May, 1692, illustrates this practice:

'John Gundry agent for Sr. Hugh Owen, Knt. and Baronet, and Zachary Bevan of Milford in Wales, merchants in company, complaining sheweth that the plt. being Employed by the above said Sr. Hugh Owen and Zachary Bevan, and sent in master of the good ship called the *Katharine* of the port of Milford as aforesaid, had by the abovesd. worthy Gent. Several goods, wares and merchandises put on board the said ship; which said cargoe of goods, wares and merchandises was alsoe intrusted in the hands of the plt. for its sale and disposal, with orders to load in any part of this River of Potomack; and the plt., being well known in these parts, as well as considering his Employers Interest and Instructions as afsd. did on the 3d day of April last past come into the River of upper Machotick and then Immediately did land his said goods and merchandises at the house of one Mr. Nehemiah Storke, a gentleman well known to this worshipful Court, where on Monday

the 5th of April aforesd. he the plt. did begin to Expose his said goods to sale; where several planters and others both of this County and Westmoreland, did buy several goods and merchandising wares of the plt.; and amongst the rest, one William Bennet,²⁸ the now deft. did on Wednesday the 7th of April come there to the house of the said Nehemiah Storke as afsd. and did take up some goods to the Value of Six hundred pounds of Tobacco with a Promise to come again and take up to the Value of six or seven hhds. of Tobacco which he then pretended to have in his own Tobacco house; after which time the said Bennet did come to the plt.'s said store, and then treat about the price of several goods, but at that time we could not agree; but on Monday the Twentieth day of the month of April the Plt. being at the house of the said Bennet, the deft. did then and there agree with him for one Piece and a remnant of Serge, which with the goods before taken up amounted to the sum of Thirteen hundred and Twenty eight pounds of Tobacco; and the said Bennet ordered the plt. to send up the said serge, he having and keeping the other goods, all of which are now still in his Custody.'

On the bread and butter side of life the early planters were easy going. The system of servile labor laid its withering hand upon their energies. Our Huguenot, fresh from busy hard working France, was deeply impressed with the contrast of the life he found here and recorded his impression with some comprehensible exaggeration.

'The country is so good and fertile,' he says,²⁹ 'that when a man has fifty acres of land, two servants, a maid and some cattle, neither he nor his wife do anything at all but pay visits to their neighbours. Most of them do not even take the trouble to superintend their slaves at work for there is no household, however small, which has not an ex-indenture man as an overseer, as they call him. To him they assign two servants, with whom he works on the land. The overseer finds himself, in consideration of a third of the tobacco or grain he raises, and thus the master has nothing to do but receive his share of the crop.'

This is undoubtedly so far true that the agricultural practice was determined largely by ignorant overseers, who readily fell into the domestic economy of the indians. At all events

the worship of the Virginia god, Tobo., and the making of the crop of maize, which was the main sustenance for man and beast, were conducted after the aboriginal fashion of a hand hoed husbandry; which was as different from the methods of soil cultivation to which the immigrant Chotanker had been accustomed in England as it was from the tenets of Jethro Tull. The fact, which it is now hard to realize, is that until well into the eighteenth century the use of the plough was almost unknown on the Virginia plantations.²⁰ We cannot, with Kipling,

‘trace on our ancient headlands
The twist of their eight-ox plough.’

But worse than that waste of human labour was the ‘old field’ system, which did Virginia as much harm as the regime of the double shovel plough which succeeded it. A century after the period of which we now write, Dr. Schoepf described this early lazy man’s agriculture critically, as he observed it in lower Virginia, and his description is as true for the end of the seventeenth as it was for the end of the eighteenth century.

‘The Virginians,’ he says,²¹ ‘are very easy and negligent husbandmen. Much and very good land which would yield an abundant support to an industrious family remains unused when once a little exhausted, no thought being given so far to dunging and other improvements. New land is taken up, the best to be had, tobacco is grown on it 3-4 years and then Indian corn so long as any will come. And in the end, if the soil is thoroughly impoverished, they begin again with a new piece and go through the rotation.²² Meantime wood grows again on the old land, and on the new is at pains to be cleared off; and all this to avoid dunging and all the trouble involved in a more careful handling of the cattle if dung is to be had.’

In addition to the use of the hoe, the Chotank yeomen imitated the indian also in his crude method of fishing. That that was a popular industry appears from the number of apprentices bound out to wear makers. There were enough tanners to call for the appointment of an official inspector.²³ Coopering was practiced,²⁴ if little other wood working, for early

Stafford seems to have prided herself on her cider and perry. That there was no lack of it is apparent from a suit over a 'three tonne cask' which leaked. Nor was there any lack of strong waters. The Court regularly fixed the price of rum, and incidentally attempted to prohibit the sale of it during its own sessions; but that last was something of a work of superelevation, for not only was Court day the festival on which of all others conviviality obtained, but then were frequently settled contracts calling for payment of so many pounds of tobacco 'and a gallon of rum to be made into punch.'²⁸

The earliest records give us also glimpses of robust and typically English amusements on Court days, wrestling and play with quarter staff, thereby revealing the presence of recent immigrants, for such sports did not reappear in the second generation of the Virginia climate. There was cock fighting at all seasons. A dispute as to the brand on a horse discloses incidentally a form of sport now forgotten, which had developed in the country, and long preceded the local practice of the fox chase,²⁹ that of hunting wild horses in the woods. Beverley,³⁰ writing a few years after the period we are discussing, describes it well:

'There is yet another kind of sport which the young people take great delight in and that is the Hunting of wild Horses which they pursue sometimes with Dogs and sometimes without. You must know that they have many Horses foaled in the Woods of the Uplands that never were in hand and are as shy as any Savage Creature. These having no mark upon them belong to him that first takes them. However, the Captor commonly purchases these Horses very dear by spoiling better in the pursuit: in which case he has little to make him amends beside the pleasure of the Chace. And very often this is all he has for it, for the Wild Horses are so swift that tis difficult to catch them: and when they are taken tis odds but their Grease is melted, or else being old, they are so sullen that they can't be tamed.'

Michel, who was in Virginia at the time Beverley wrote, adds an explanation of the horse pen in the woods, so commonly recited in the land grants:

'The wild horses,' he says,³⁰ 'are also caught in pits. When it is known which way they go to water a deep pit is dug which is covered slightly. When the horse passes over it, he falls down and can't get out again until he is bound with ropes and pulled out.'

'There are people who make their living by this practice,' adds Michel, and in the Stafford records we find those people recognised as following a trade, termed 'horse coursers.'³² Eventually this trade was carried on so recklessly that the court had to regulate it in the interest of the whole community, as many horses were penned and taken which were not wild at all but simply turned out for pasture.

These meagre surviving records cannot by themselves enable us to form any real estimate of the community. What manner of men the Potomac pioneers were may perhaps be better appreciated in the following chronicles of some incidents of their political history:

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¹ Rowland, i, 20, 38. The Maryland house is indicated, but not named, on Robert Brooke's Potomac map, 1737. This third George Mason was drowned in the Potomac in 1735, but he appears on Brooke's map in 'Colo. Mason's Island' opposite the mouth of Rock Creek and 'Col. Mason's Fish House' on the north bank of Occoquan.

² See Dr. Slaughter's argument from the Truro vestry book, supplemented by the Havemeyer letters in Conway, *Barons*, 62 ff. There is confirmation of the fact that Augustine Washington was living on Little Hunting Creek in 1737 by the indication there of 'Capt. Washington's' on Robert Brooke's Potomac map.

³ See *post*, p. 341.

⁴ The evidence is assembled in Conway, *Barons*, 105; Wilstach, *Mt. Vernon*, 17. The location is indicated by the name 'Washington' on the Jefferson and Brooke map of 1747.

⁵ Rowland, i, 55, 57. The location is not indicated on the Jefferson and Brooke map of 1747.

⁶ See *post*, p. 302. In local usage, as the designation of a neighbourhood (almost a civilization, if not a 'state of mind'), Chotank came eventually to include, with the lower end of old Stafford (now King George), the upper end of Westmoreland. The entertaining loyalist adventurer, J. F. D. Smyth, *alias* Stuart, made of it the text for a well known gibe in his *Tour in the United States in 1784*: 'After we had passed the noble river Potowmack we entered one of the most agreeable, as well as respectable, settlements in Virginia, named Chotank. In this place Mr. George Washington was born, who has be-

come somewhat distinguished for being at the head of an inactive timid army which never performed a gallant exploit yet have succeeded in their pursuit far beyond even their most sanguine expectations or hopes.'

⁷ *Voyages d'un Francois* (1687), p. 113.

⁸ In a dispatch of April 5, 1717, Governor Spotswood reported (*Spotswood Letters*, ii, 227): 'The Inhabitants of our frontiers are composed generally of such as have been transported hither as Servants, and being out of their time, settle themselves where land is to be taken up and that will produce the necessaries of Life with little Labour. It is pretty well known what Morals such people bring with them hither, which are not like to be mended by their Situation, remote from all places of worship; they are so little concern'd about Religion that the Children of many of the Inhabitants of those frontier Settlements are 20 and some 30 years of age before they are baptized and some not at all.'

In 1732 when Prince William annoyed Governor Gooch by its turbulence, he wrote (C. O., 5: 1323, p. 23 and *Fulham MSS.*, Virginia, No. 137) to the Lords of Trade animadverting upon the community as consisting of 'People remote from the Seat of Government, always remarkable for their disobedience, mingled with many transported Convicts,' and to the Bishop of London that 'in the Northern Neck the Planters . . . never yet willingly submitted to any laws.'

⁹ *The population of Stafford*: The basis of the Virginia poll tax was the tithable and the enumeration for that purpose, usually deliberately under stated, is the only colonial census figure we have. Spotswood reported (*Spotswood Letters*, i, 166) that the fear of a capitation tax made the colony resist all efforts to secure a true enumeration of the inhabitants. By the Revisal of 1705 (Hening, iii, 258) the tithables were defined as 'all male persons of the age of sixteen years and upwards, and all negro, mulatto and Indian women of the age of sixteen years and upwards not being free.' Free women of any age and children of both sexes, free and bond up to the age of sixteen, were thus excluded from the enumeration as well as from taxation. The following table, made up from various sources, must be read with this definition in mind:

1692, Tithables in Stafford	317, <i>Cal. Va. State Papers</i> , i, 68.
1698, " " "	679, <i>Cal. Am. & W. I.</i> , 1701, p. 636.
1699, " " "	708, <i>Cal. Am. & W. I.</i> , 1701, p. 636.
1702, " " "	828, <i>Va. Mag.</i> , i, 371; Beverley, (1705)
1722, " " "	1503, <i>Va. Hist. Reg.</i> , iv, 19.
1723, " " "	1554, <i>Va. Hist. Reg.</i> , iv, 67.
1726, " " "	1800, <i>Va. Hist. Reg.</i> , iv, 74.

The Virginia government had a working formula for estimating population, based on the tithables, viz: the total population was assumed to equal the number of all tithables, plus three times the number of white tithables (see Gooch in C. O., 5: 1322, p. 119) and it was apparently by this rule that Beverley stated the population of Stafford in 1702 as 2033. As the tithables in the county had no more than doubled by 1724, when Parson Scott said there were only 650 families, it would seem that in that year the population could not have exceeded 4,000.

¹⁰ The second William Fitzhugh (of Eagles Nest) was, indeed, raised to the Council in 1712, but died before he had seen service. It was William Fairfax who first represented the interests of the 'freshes'

in the Council. Appointed in 1743, he sat until his death in 1757, being President when he died; and was succeeded by his son, George William, in 1767.

¹¹ The earlier names are drawn from the minutes of the Stafford Court, the later from the St. Pauls parish register, 1725-1773, in *Va. Mag.*, viii, 360.

¹² *Dr. Edmond Helder and his tombstone*: In 1865, while the late Moncure D. Conway was living in London, he published in *Fraser's Magazine* a pleasant rehearsal of Virginia's links with the mother country, in the course of which he averred that in the churchyard of St. George's Church at Fredericksburg there was a tombstone bearing an inscription to the effect that it covered the grave of one who had been a pallbearer for William Shakespeare. Literary London at once challenged this statement, whereupon Dr. Conway, admitting that his authority was merely a recent letter from home, began an investigation. He found at once that there was no such tombstone in St. George's churchyard and that the statement on which he had relied was derived from a newspaper story. Finally he traced it to its origin. Mr. C. J. Brown, of Byfield, Massachusetts, sent him a copy of an inscription taken from an old tombstone on Potomac Creek, upon which Mr. Brown had stumbled in 1862, while serving in the Sixth New Hampshire Volunteers. Mr. Jones testified that it was a crude carving, spaced with inebriated 'S's and difficult of decipherment, but that he had, to his own somewhat doubtful satisfaction, made it out to read as follows:

'Here lies interred the body of Edmond Helder, Prec-titioner in physick and chyrurgery. Born in Bedfordshire, Obitt, March 11, 1618, Atatis Sua Y6.'

There was no mention of Shakespeare on the stone, that being altogether imaginative newspaper embroidery upon the reported date, 1618. Loyal recanting the statement that he had made in *Fraser's Magazine*, but stimulated by the belief that in any event he had come upon 'the oldest English epitaph in the new world,' Dr. Conway persistently pursued the search during the ensuing twenty years. In September, 1884, he combed the banks of Potomac Creek and was rewarded by coming on a characteristic Virginia phenomenon, a survival of that 'profane custom of burying in their gardens and orchards' as the Bishop of London was pleased to call it in 1677 (*Cal. Am. & W. I.*, 1677-80, p. 117). Built into the chimney of a modern kitchen he found the stone Mr. Jones had read, but alas, all the inscription had been defaced except the two first letters, 'HE.' Local discussion then developed that several residents in the neighbourhood remembered to have read the inscription and felt able generally to confirm Mr. Jones' copy. And so the old stone was removed to Fredericksburg, where it is still exhibited as the original of 'the oldest English epitaph in the new world.' Dr. Conway finally recorded the story in an entertaining magazine article, which he entitled 'Hunting a Mythical Pall Bearer' (*Harpers Magazine*, lxxii, 21). Hence the inscription was reproduced by Neill, (*Virginia Carolorum*, 1886, p. 91).

There is more than a memory of Mr. Pickwick's studies in epigraphy to make one skeptical of this date, 1618. While not impossible, it is not probable. In 1618 ships from Jamestown were trading for corn with the indians resident on Potomac Creek, but it was thirty years later before there was any English plantation there. As, moreover, the name Helder does not appear, among the surgeons or otherwise, on any of the lists of the earliest adventurers to Virginia, the

candid mind is persuaded that there must have been some mistake in reading Dr. Helder's date. It was more likely to have been 1678 than 1618. An amateur antiquarium on the lookout for marvels might easily decipher a '1' out of the '7' of a weathering carving.

But it is not necessary to rely altogether on negative evidence to justify such philosophic doubt. In the earliest surviving court order book of Stafford County it appears that on June 12, 1690, Matthew Keene sued William Downing in trespass, alleging that he, the plaintiff, 'together with Edmond Helder late of this County decd.' had taken title as joint tenants, by deed of John Peake, dated November 14, 1672, to a certain dividend of land patented in 1668 by said John Peake [*Patents*, 5: 179], lying near the head of Potomac Creek on the north-west side thereof; that the said Edmond Helder having died without any partition, he, the said Keene, was entitled to the whole dividend by right of survivorship; but that William Downing was in possession of a part of the land and refused to attorn. At another term of Stafford Court later in the same year (September 10, 1690) William Downing was sued again, this time by one Mary, daughter of William Russell and wife of James Galloough (perhaps a sister of the William Russell of Elk Marsh, see *post*, p. 204), who alleged 'that Doctor Edmond Helder by his last will and testament in writing' did bequeath to her certain cattle with their increase, and did appoint that she 'should live with William Downing and Mary his wife till the time of her marriage;' that the said William Downing 'being named sole executor in the said will did prove the same,' but refuses to give Mary her cattle although she had complied with Dr. Helder's stipulation, had lived with Downing and his wife and had married with their consent. This William Downing, who was thus doubtless responsible for the latin of Dr. Helder's tombstone, appears frequently in the surviving Stafford records of the end of the seventeenth century, serving on juries and as 'coronet,' later captain, of militia. When the Northern Neck grant books were opened by Philip Ludwell in 1690, he began to take out, by way of confirmation of previous Virginia patents which he had acquired, a series of proprietary grants dated from 1690 to 1711, all relating to lands on Potomac Creek.

The Stafford will book of this time is missing and so we cannot invoke Dr. Helder to speak for himself, but the evidence cited above is nevertheless sufficient to justify any court in finding as a fact that there was living in Stafford as late as 1672 an Edmond Helder who would answer the description of a 'prectitioner in physick and chyrurgery.' To complete the identification it remains then necessary only to find such an one who would also answer to the description of having been 'born in Bedfordshire.' There was a family of Helder, *alias* Spicer, who were seated in Hertfordshire *temp.* Philip and Mary, one of whom purchased, in 1650, the manor of Little Staughton in the County of Bedfordshire (*Victoria County History*, Bedfordshire, iii, 165). Here there lived prior to 1668 one Richard Helder whose will, dated February 24, 1668 (proved in the local Archdeaconry Court), describes him as 'of Little Staughton in the Countie of Bedford, Gentleman.' The parish register of Little Staughton, 1635-1657, is missing and the local record of the baptism of this Richard Helder's children is lacking in consequence, but his will testifies that he raised so large a family of sons and daughters that he found it expedient to bind out several of them as apprentices. One of them, named Edmond, thus became a physician.

In the seventeenth century the Apothecaries Company of London was authorized by its royal charter, to license 'practitioners in physick.'

The records of that Society, at Apothecaries Hall (*Minutes of the Apothecaries Company*, MS., vol. ii, folios 38, 65) reveal the following entries:

1657, June 11, 'Edmund Helder, son of Richard Helder of Staughton, co. Hunts, gent., examined, approved and bound to William Royston for 8 years. Fee 4s 8d.'

1662, Sept. 3, 'Edmund Helder the late apprentice of William Royston, having sued out his indentures, is turned over to Mr. Skelton for the remainder of his time.'

It happens that the reference to the residence of Richard Helder in this record of the Apothecaries Company is an error. At the time that record was made there were, as there still are, two parishes of Staughton. One, the better known, is Great Staughton, which lies on the southwest border of Huntingdonshire, where it adjoins that parish of Little Staughton in the county of Bedford, in which, as we have shown, Richard Helder lived. We may, then, accept as correct the statement on the Virginia tombstone of Richard Helder's son Edmond that the latter was 'born in Bedfordshire,' but there can no longer be any doubt that that tombstone commemorated one who not only died, but was born, many years after 1618.

See *W. & M. Quar.*, iv, 195, for Dr. Tyler's demonstration of a similar misreading of the tombstone of William Harrys on Neapscot ('1608' for '1698'), which had been given currency by Charles Campbell in his *History of Virginia* and was repeated by Alexander Brown in his *Genesis*, i, 150. It may be noted that the present editor has found in the Stafford records several new testimonies sustaining Dr. Tyler's identification of Harrys *alias* Harris.

¹⁸ *Longevity in Stafford*: Despite the change of climate, many of the earliest settlers in Virginia attained great age. Beverley (1705, i, 97) tells an interesting story of an Haroun-al-Raschid adventure of Governor Andros, which, as it relates to Stafford may be here reproduced:

'Sir Edmund Andros being upon a progress one Summer, call'd at a poor Man's House in Stafford County for Water. There came out to him an ancient Woman and with her a lively brisk lad about Twelve Years old. The Lad was so ruddy and fair that his Complexion gave the Governor a curiosity to ask some questions concerning him: and to his great Surprise was told, That he was the son of that Woman at 76 Years of Age. His Excellency, smiling at this Improbability, enquir'd what sort of Man had been his Father. To this the good Woman made no reply, but instantly ran, and led her Husband to the Door, who was then over 100 years old. He confirm'd all that the Woman had said about the Lad, and, notwithstanding his great age, was strong in his Limbs and Voice, but had lost his sight. The Woman for her part was without Complaint and seem'd to retain a Vigor very uncommon for her years. Sir Edmund was so well pleased with this extraordinary Account that, after having made himself known to them, he offer'd to take care of the Lad: But they would by no means be perswaded to part with him. However, he gave them 20 pounds.'

¹⁹ After the Culpeper proprietary was made effective about 1677, no lands in the Northern Neck were granted on the Virginia basis of head rights, but the 'rights' of immigrants to the Northern Neck were sold to be used in Virginia proper. Spotswood fulminated against this abuse (*Spotswood Letters*, i, 153).

²⁰ Hugh Jones describes the practice of 'the Indian invention of pounding Hommony in Mortars burnt in the Stump of a Tree, with a Log for a Pestle hanging at the end of a pole, fix'd like the Pole

of a Laver.' It was not until 1691 that Richard Gibson built on Quantico what was apparently the first public water mill in Stafford.

¹⁶ *Voyages d'un Francois* (1687), p. 74.

¹⁷ In August, 1700, Governor Nicholson reported to the Commissioners of the Customs (*Cal. Am. & W. I.*, 1700, p. 499), 'There is another county on our side of Potomack River which is Stafford (of which I made Capt. Rice Hooe, a member of Assembly, Naval Officer) and is the upper part, and lies upon the river for nigh 80 miles; and altho there be few ships that ride there, yet a great many sloops, etc., trade there from ships.'

¹⁸ See his land grant on Quantico in 1708, *N. N.*, 3: 189.

¹⁹ *Voyages d'un Francois* (1687), p. 65. Cf. Schoepf and, later, Dabney.

²⁰ *The Hand-hoed Agriculture of Colonial Virginia*: Hartwell, Chilton and Blair (1697) give the explanation of the lack of ploughs in the seventeenth century as due to the fact that the characteristic practice of progressively clearing small units of forest land to enlarge the planted area of an estate did not include grubbing out the tree stumps, so that the use of the plough was impracticable during the long years the stumps were rotting. There is ample testimony to support this. Thus the Huguenot gentleman says (*Voyage d'un Francois*, 1687, p. 71): 'The Virginians do not know what it is to work the land with cattle; they hoe all their crops.' Writing in his diary in May, 1776, Landon Carter said (*W. & M. Quar.*, xvii, 17): 'I hear abundance about Plows . . . My father never used a Plow in the five years from 1727 to '32 in which he died, except one he indulged me with at home to make a little farm of turnips, cabbage and tares . . . and yet who exceeded him?'

These testimonies do not mean, however, that there were no ploughs in the colony. There are inventories to contradict that deduction, e. g., those of Mrs. Frances Jones in 1657 and of Francis Wright in 1713, cited in *Tyler's Quarterly*, v, 209; iv, 184.

²¹ *Riese* (1783) tr. Morrison, ii, 32. See also *post*, p. 269.

²² Philip Fithian (*Journals and Letters*, 1767-1774) explains the temporary construction of the characteristic worm fence with the statement that when an old field was turned out the fences were removed to the new cultivated land.

²³ Under the act of 1691, Hening, iii, 75.

²⁴ The patents of 1653 testify, e. g., to 'John Bennet of Nominy, Carpenter,' and 'William Strowder, of Nominy, Cooper' (*Patents*, 3: 3; 4: 283).

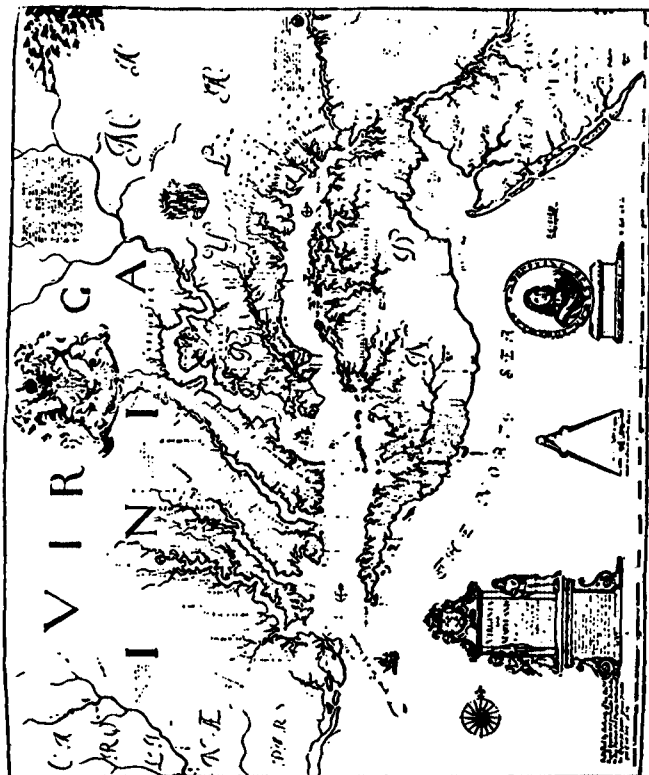
²⁵ Beverley gives this popular potation the contemptuous description of 'mobby punch.'

²⁶ *Fox hunting* with hounds, which has long been the characteristic sport in the hill country of old Prince William, had been naturalized in Virginia before 1739. Writing to a correspondent in England on May 21, 1739 (*Va. Mag.*, vii, 172), John Clayton (the botanist) testifies 'some hunt the foxes with hounds as you do in England.'

²⁷ *History and Present State* (1705), iv, 75.

²⁸ *Va. Mag.*, xxiv, 42.

²⁹ David Wickliff was conspicuous in this trade in 1671. See *W. & M. Quar.*, xv, 182, for his report on 'John Lord's New England mare' and Parson Waugh's excuse for not attending court because both his horses had 'gown into the woods with a company of wild horses.'



AUGUSTINE HERRMAN, 1670.

CHAPTER NINE

Bacon's Rebellion in Stafford

MEMORIES of the American Revolution of 1776 have coloured the glasses through which the most recent school of American history has studied the Virginia rebellion of 1676. The tendency has been to exalt to heroic proportions the motives and the actions of those who followed Nathaniel Bacon. Mere rhetoric does not, however, disguise the sordid detail of the events as recorded by the contemporary annalists. Particularly is this true of the few glimpses they give us of the pioneers of old Prince William at that time. Although the troubles had their origin in Stafford, the scene soon shifted and there is little purely local material on which to estimate, impartially, the character and the state of mind of the Potomac settlements during this exciting period. We are practically confined on the one hand to the contemporary official opinion which described Stafford as 'that ill affected parte of the Country,' and on the other to the prudent protestations of the inhabitants themselves, stating their grievances after peace was restored, viz.:

'Wee are altogether Ignorant of the first Sparkle and alsoe of the Incendiaries and Motives that blew it into such a flame, that hath almost ruined and destroyed the Country; there being very few in this County tainted with it.'

Doubtless, this last statement was true when it was written, but it is a subject for historical enquiry, made difficult by the loss of local records, as to how far it was true during the days of Bacon's ascendancy. We can only venture a guess that the contemporary official opinion was not altogether unjust; for a generation later, as we have noted, Governors Spotswood and Gooch paint a similar picture of the people of the region, and we know that, in the interval, the lawless outbreak in Stafford at the time of the Revolution of 1688 found fuel in unsatisfied memories of the days of Bacon's Rebellion. If no

Stafford man attracted the implacable notice of Sir William Berkeley and so old Prince William can point to no resident martyr who had the honour to be hanged by him, it does appear that at least twenty of our pioneers found it expedient, whether or not they were tainted with Baconian principles, to claim the protection of the general amnesty offered by the Crown Commissioners in 1677.³

During the disturbances Stafford had, then, her full share of activity, if not of credit. Her men marched under the half breed Col. Giles Brent in Bacon's futile second indian expedition and though they accomplished nothing, were later declared to have deserved well of their country;⁴ but when it came to civil war and their colonel lead them out again against Bacon himself, the part of Stafford certainly was not heroic. The author of the Burwell MS.⁵ highly diverted himself in picturing the preparation for conflict, particularly of the impedimenta of Bacon's army. Modern taste may not admit of quotation of the raciest part of this robust Rabelaisian humour, but here is the substance, which is lively enough: After Bacon had burned Jamestown,

'one Capt. Potter arives in post haste from Rappahanock, with news that Coll. Brent was advancing fast upon him (with a resalution to fight him) at the head of a 1000 men, what horse, what foote, if he durst stay the commencement. Hee had no sooner red the Letter but he commands the Drums to beate, for the gathering his soulders under there Collours; which being don he acquaints them with Brent's numbers and resalutions to fight, and then demands here: which was cherefully answered in the affirmative with showtes and acclamations, while the Drums thunders a March to meet the promised conflict. The Soulders with abundance of cherefullness disburthening themselves of all impediments to expeditious order and good decipling, excepting there Oathes and Wenches Bacon had not marched above 2 or 3 days journey (and those but short ones too, as being loth to tire his Laberours before they came to there works) but he meets news in post hast, that Brent's Men (not Soulders) were all run away and left him to shift for himselfe. For they haveing heard that Bacon had beate the Governour out o'th Towne they began to be afeard (if they should com with in his reach) that he might beat them out of there lives, and so resolved not to come neare him.

Collonell Brent was mightily astonish'd at the departure of his followers, saying that they had forsaken the stowtest man and ruin'd the fairest estate in Virginia: which was, by there cowerdize or disaffections, expos'd to the mercy of the Baconians. But they being (as they thought) more obliged to looke after there owne concernes and lives then to take notes, either of his vallour or estate, or of there owne Credits, were not to be rought upon by any thing that he could do or say, contrary to there owne fancies.'

It was after this adventure that Bacon recruited those active adherents in Stafford who were later pardoned. Their record in the field may well have been consistent with their service under Col. Giles Brent. It was probably confined to the satisfaction of long nursed grudges by petty depredations committed upon the property of the local loyalists.⁶

NOTES TO CHAPTER NINE

¹ Sir John Berry, in *Va. Mag.*, v, 66.

² Stafford grievances in *Winder Abstracts* (Va. State Library), ii, 236. Those who signed were Richd Gibson, Thomas Humfry, Edward Humston, Anthony Buckner, Charles Elliott, William Norwood, William Birch, Thomas Barton and John Mathews. None of them was then of the commission of the peace but the paper was attested by Samuel Hayward, Clerk of Stafford.

³ Minutes of Stafford Court, March 14, 1676/77 in *Winder Abstracts* (Va. State Library), ii, 235. Those pardoned were: 'Capt. Roger Marshall, Simon Thomas, Chas. Hicks, Mr. Wm. Wilford, John Wheatley, Thos. French, Mr. Jonathan Randall, and James Whitman, wch two last entered into bond and gave security, Nathan Thornton, Tho. Merrideth, Tho. Walter, Richd. Wall, John Holmes, Tho. Baich, Joseph Baxter, Evan Jones, Mr. Will Kay, Steph. Haward, Wm. Downeham, Joel Stribling.' There was, moreover, one recalcitrant who refused to take the oath, Jonah Revett.

⁴ Hening, ii, 403.

⁵ Massachusetts Historical Society *Proceedings* (1866), 299. The original is now once more in the library of the Virginia Historical Society.

⁶ See the record of the destruction of the Westmoreland property of Nicholas Spencer, Richard Lee and John Washington, in *Va. Mag.*, v, 66. The Stafford court minutes of the time are missing but we may fairly assume that they contained similar records in respect to the Brents and Masons, with self-revealing excuses like that of Daniel White of Westmoreland. He testified that his part in these depredations was actuated by a sense of past injustice done him by 'honourlicke men whom I have not bin over fond in adoring, not as they were majistrates but as they were proud men.' *W. & M. Quar.*, ii, 47.

CHAPTER TEN

Parson Waugh's Tumult

THE embers of Bacon's rebellion smoldered on the Potomac for some years after order had been officially restored in 1677. This was due partly to the undisciplined character of the frontier population but chiefly to the diligent stirring of discontent by that 'rank Baconist,' Josias Fendall, during the years of his exile from Maryland. In July, 1681, Lord Baltimore testified¹ that by such influences the people of Stafford were 'as ripe and readdy for an other Rebellion as every they were,' that 'this Fendall has great influence on and interest in most of the rascalls in the North part of Virginia, where he was for some time when he was forced to absent himself from Maryland.' It was the moment when new civil war was expected in England following the dissolution, in March, 1681, of a passionate parliament, the moment of Shaftesbury and Monmouth, of *Absalom and Achitophel*, and Baltimore charged that Fendall, counting on such civil war, was inciting his followers with the promise of a time coming when 'there would be no establisht laws in England and so he and his crew might possess themselves here and in Virginia of what Estates they pleased.' Baltimore was so disturbed that he even suspected the loyalty of Secretary Spencer because that able gentleman had recently entertained Fendall at Nomini,² little realizing that Spencer was to succeed in maintaining order where he himself was to fail.

As all the world knows, there was no civil war in England in 1681. Monmouth's rebellion proved only a flash in the pan. The Whigs had patiently to wait for a more propitious day, as did the 'rank Baconists' in Virginia. But both at home and in the colony there was an uninterrupted attrition of political opinion which served to clarify the issues and to draw party lines.

A history of politics in colonial Virginia is still sadly to

seek. Beverley⁸ charges Nicholson with introducing 'the detestable Politicks of governing by Party, by which Feuds and Heart burnings have been Kindled in the Minds of the People; and Friendship, Hospitality and Good Neighbourhood have been extreamly discouraged.' The state papers of Spotswood's consulship enable us to recognise all the stigmata of this characterization in the contests between what had then assumed the names as well as the characters of 'the Governors and Countrys partys;' but it is probable that there was a 'country party' in Virginia at least as long as there was one in England, that is to say, well back into the reign of Charles II.

The nineteenth century historians generally seek to interpret the proceedings of all the Colonial Assemblies retrospectively in terms of the American revolution. They put their emphasis on the occasions when there was resistance of any assertion of the Crown prerogative, but in the next breath, inconsistently enough, rehearse the cavalier constitution of Virginia society and the loyalty of the people. It is probable that both these sentiments were constant, certainly after Bacon's rebellion, and that they connoted even in the seventeenth century recognised, if not formally organized, political parties. As the existence of such parties explains the proceedings of Byrd and Ludwell in the Council and of 'a Conway, a Corbin or a Marable' in the Assembly in 1715, so it might explain the adventures of the first Robert Beverley and of Thomas Milner at the period we are now considering more convincingly than any page of Burk or Campbell. It is a fair conjecture that these able gentlemen were neither more nor less than the leaders of a nascent Whig party, not altogether unrelated to that then consolidating in England. In Stafford certainly there is evidence of the division of the community on such party lines at this time.

Soon after he established himself in Stafford about 1670, young William Fitzhugh began to take a leading part in the affairs of the community.⁹ A Tory and a high churchman, he represented Stafford in the Assembly at the time of Bacon's rebellion and for some years thereafter. But in 1680, when Fendall was in Stafford, Fitzhugh was beaten for election by

Martin Scarlet of Burbage's Neck, who was later an avowed Whig. Thereafter Scarlet and Fitzhugh alternated in office and what was evidently party feeling ran high between them and their respective supporters, culminating in 1686 in a mutual preferment of formal charges of malversation in office. As nothing came of either charge, despite the noise both made in the Assembly, it may be fairly assumed that, like many such today, these proceedings were mere moves on the political chess board.⁷ At all events they serve to explain the inflammability of Stafford at the time of the 'glorious revolution' against James II. The agitation then set on foot, as we are now to relate, failed to develop the proportions of the contemporary 'Protestant revolution' in Maryland, to which it was closely related,⁸ not so much for want of intention as because Nicholas Spencer had a firmer grasp on the reins of local government than did the deputy governors of Maryland.

In March, 1688/9,⁹ while the people of Virginia and Maryland were still uncertain as to the course of events in England, the Maryland indians began to swarm across the Potomac, saying they were going hunting, as was their annual custom, in the Stafford backwoods. As it turned out this was literally true, but at this particular season the good people of Stafford, politically panicky anyway and feeling always, as frontier people do, the dread of the unknown and of the wilderness, regarded the movement with suspicion. In such a state of mind Burr Harrison¹⁰ of Chipawansic was fishing on the river off Potomac Creek and got a haul destined to shake Maryland, as well as Stafford, to the foundations. Returning home, he told his news to his neighbours, John West¹¹ and Ralph Platt and together, threshing over some of Josias Fendall's old straw,¹² they built up a theory connecting the latest news with the movement of the Maryland indians. Accordingly, they went before the Stafford Court and reported, whereupon Harrison was ordered to examine the indians and report again. He apparently got most of his colouring matter from a Piscataway named Wawoostough, who was later denounced by his Emperor, as 'a runaway from them and an Idle person.'¹³ On such testimony,

pieced out elsewhere, Harrison made up, in a deposition, a startling record, viz:

‘That on Saturday last he met with a boate goeing up the River that came lately from St. Maries and after inquiring what newes in those parts they told him that Coll. Pye was lately heard to say that he did hope before Easter day to wash his hands in the protestant blood and that if he had the prince of Orange there he would thrust his sword up to the Beame in him. And they did further informe the said Harris that there were two or three masters of shipp dayly looking out for Coll. Pye to carry him on board shipp in order to transport him for England.’

But what followed was more disturbing:

‘And further the said Harris declared there yesterday came over from Pomonky with him an Indian called Chicarter, a warr captaine that was going to Capt. Brent, and told him Capt. Brent had sent for him, and further the said Indian told him that they did heare the Englishmen in England had cut off their King’s head and that there were abundance of dutchmen comeing in a great many ships and that they should bring abundance of Match Coats and other things with them . . . that the King of Piscataway hath hired the Seneca Indians by reason that they might have the better opportunity to kill the people of Virginia [telling them] that they must make haste and Kill the protestants before the shipping did come in for after the shipping came they will then Kill the papists and then they would Kill all the Indians.’

This roorback was at once spread broadcast among the people, not only of Stafford but of Maryland. Across the Potomac it grew with the food it fed on. John Addison of Maryland wrote to John West that he heard that 9,000 French and Senecas had landed at Capt. Bourne’s upon the Cliffs of Anne Arundel and had murdered Bourne and his family, wherefore he invited instant help from Virginia. Another Marylander, John Courts, wrote to Lawrence Washington that he heard that 10,000 ‘foreign indians’ had inforted at the head of Patuxent. The Maryland authorities kept their heads and took prompt action, which soon allayed the panic north of the Poto-

mac. All that was necessary was to establish and publish the fact that there were no Senecas in Maryland.

But in Stafford there was another story. There the people abandoned their plantations and arrayed themselves in arms. A Maryland officer reported that 'the people enfort themselves [not only] in Stafford County but all over that Collony, from the bordering part of which we doe dayly here the beating of drums and volleyes of shott.' The Maryland authorities apparently interpreted this activity as preparations for an invasion of their territory. They were even moved to charge that the hope of plunder in Maryland was the real motive for starting the agitation.¹⁴ But no such invasion was contemplated. Stafford had already concentrated on her own affairs: she had caught the infection of a disease then endemic in most of the English colonies in America.¹⁵

The Brents, who had lived in Stafford for many years, were Catholics. They had been discreet in their relations with their protestant neighbours, and had never been molested. Indeed, in 1668, the Stafford County Court gave the first Giles Brent a certificate¹⁶ that they had had '21 years' experience of his fidelity in not seducing any persons to the Roman Catholic religion.' But Burr Harrison's news from Maryland offered an opportunity for fanatical agitation and there was one in Stafford ready to take full advantage of it.

John Waugh had then been parson of Potomac (later known as Overwharton) parish¹⁷ for at least twenty years. He came from the north of England and was a man of education and parts, but a natural agitator. He had been suspended at least once from his ministerial function for violating the law and was constantly quarreling with his neighbours and the local authorities,¹⁸ but he seems to have had a strong hold on the majority of his parishoners. His cloth did not deter him from active participation in politics. He aligned himself with Martin Scarlet against William Fitzhugh and preached Whig doctrine in opposition to the Tory influence among the local gentry. In religion, as might be expected, he was what was called at the time 'of enthusiastic principles,' meaning evangelicism mingled with puritanism, and he courted popularity.

Egged on by his son-in-law, the second George Mason,²⁹ Waugh's sermons now stirred the community to frenzy. George Brent, of Woodstock, implicated by Burr Harrison's testimony, undoubtedly had relations with Maryland Indians but, so far as the record developed, these relations had nothing whatever to do with politics. But being like his uncle Giles, a Catholic and so now under a new suspicion, George Brent became on a sudden the target of a passionate popular attack.³⁰ A sea captain then in the Potomac observed³¹ that 'the Stafford men were wholly intent to kill, rob and burn what Capt. Brent had.'

In this crisis, the members of the Virginia Council resident in the Northern Neck, Messrs. Spencer, Lee and Allerton, being under no illusion, showed their eminent good sense. Secretary Spencer wrote³² that 'to take off the clamours against Capt. Brent and to justify his innocency, we ordered his house to be searched for Arms and Amunition and directed him to take up his being at Coll. Fitzhugh's, where the people might be assured he could not converse with any designing any ill against the inhabitants.' But, as it happened, Fitzhugh, Brent's law partner, though protestant, was an out-spoken Tory, and the choice of an asylum was perhaps not happy. Although the search developed that Brent did not have in his house sufficient arms for his own defence, association with him put even Fitzhugh in danger. The latter wrote,³³ soon after, that he had his 'house most part of the time constantly thronged and in daily expectation of being plundered by the Rabble, and once of being treacherously murdered.'

Over these troubled waters Parson Waugh rode the whirlwind. Beginning as a colonial Titus Oates, under the inspiration of his fellow enthusiast, John Coode, the whilom parson of Maryland who was about to lead a successful revolution in that province, Waugh gradually developed into what appeared for a moment to be a menace to the Virginia government. From general thunder against the Catholics, he evolved the more dangerous thesis that there 'being no King in England, there was no Government here,' and that the people should remain in arms in their own defence.³⁴ This advice, smacking significantly of the doctrine which Lord Baltimore charged Fendall

with preaching in Stafford in 1681, was followed; the alarm spread to the Rappahannock settlements, and serious consequences were averted only by renewed vigorous action on the part of Messrs. Spencer, Allerton and Lee. Assuming the authority of the entire council for the emergency, they anticipated the formal proclamation of the accession of William and Mary,²⁸ arrested the ring leaders, Waugh, Harrison and West, forbade the parson to preach, and suspended George Mason from the command of the Stafford militia.²⁹

Parson Waugh was eventually brought before the General Court at Jamestown and there, as William Fitzhugh records,³⁰ 'made a publick & humble acknowledgment, by a set form drawn up by the Court and ordered to be Recorded, and is appointed to do the same in our County Court . . . with a hearty penitence for his former faults and a promised obedience for the future, which he sincerely prays for the accomplishment of and for the sake of his Coat to do so.'

With this submission by its leader, the tumult died down as suddenly as it had begun. The danger was over but Parson Waugh himself did not long remain quiet. The surviving records of the Stafford Court reveal one more incident of his congenital *intransigence*.

The election for burgesses in 1691 seems to have been particularly bitter. Scarlet and Fitzhugh were again the candidates and Scarlet prevailed. In doing so he grievously hurt his opponent's feelings. Fitzhugh complained to the Stafford Court with hot indignation that Scarlet had asserted publicly during the canvass 'that neither Law nor Justice had been adm'r'd in this County since I sat upon the Bench for nothing was Law or Justice but what I [Fitzhugh] said was soe.' Resenting this imputation, Fitzhugh reminded the Court that he had been their colleague since 1683, when he was commissioned second in rank to the first George Mason, that, although after the death of that worthy in 1686 he had succeeded as presiding magistrate, he had always polled the Court before assuming to speak for it. In this situation, he complained, Scarlet's charge did not merely reflect upon him but was so heinous an insult to the Court

itself that out of respect for that cornerstone of local government, as well as in assertion of his own dignity, he felt compelled to refuse to sit on the bench again until Scarlet had received 'condign punishment.' The Court was evidently embarrassed, for several of them were Scarlet's political allies, but Scarlet himself came to their support. From his own seat on the bench he made a vigorous and manly answer and ultimately assured Fitzhugh that he had no intention of reflecting upon his character. Much relieved, the Court again summoned Fitzhugh to preside over its deliberations, whereupon he wrote them another letter, now turning his guns on Parson Waugh. This entertaining, if somewhat incoherent, communication was duly spread on the minutes and certified to the Governor, as follows:²⁸

Gentlemen, My Longe absence, now this four Courts together, occasioned as most of you know, or I dare say have been creditably informed, through occasioned absence or Violent Sickness all but the first court in June; and why I did not then sit my Letter to the Court I hope fully clears and Mr. Scarlets acknowledgment and Sorrow, which he sent me by Mr. Hayward, for his Passionate words made me immediately forget the same, and did design to have resumed my Place which fell out to be the second Wednesday in August; but before that time my business called me to the head of the bay, from whence I returned not till the last of August accompanied with a Raging feaver constantly attended with Vomitings which without intermissions violently held me till the Court in September was over, afterwards I had some intermission and hopes of Recovery; but these hopes were soon over for my distemper reseeded me again as Violent as ever; so that the Latter end of that week before your October court, and the week your court was, I was againe so ill as not to Venture out of my chamber nay for some days hardly out of my bed; now thank God its Pretty well over and I find myself hearty and Strong considering my late Circumstances; and therefore I know you'll think it reasonable to Expect me at this Court, and Truly I should gladly wait on you and Joyne with you in discharge of that Service we all owe to their Majesties and the Countrey; but I am deterred by an Information that I had not by uncertain Report but by a general and Credible Relation of a most mischevous and dangerous Riot committed by Parson Waugh to your forces and to the judges in Cathedras, telling you as you were a Sitting Court, the Countrey then in

the Court house, as you were then Taxing him for his ill behaviour in soe rudely & violently Siding with and defending that Fellow Darnell^m and some other great Enormities that he had committed in the Court house yard, he immediately answers (not regarding that you were then their Majesties Court and then sitting and the Countrey Present Expecting your dispatch of their businesse, that he came there to Correct the Irregular Proceedings of your Court, than which I think a greater affront and Indignity was never Put upon a Court; also he said in full hearing of your worps. as I am informed and of the Countrey then Present that I was a Papist and did not deserve the Kings Protection, which you know is enough to let the Rabble to do a mischief to the Person so Taxt, besides many other Violent and ill behaviours of his during the whole days first Sitting; which Violent actions of his were neither then Punished nor by the Court represented to the Lieut. Governour and Counsel nor to the Attorney General; but Perhaps you may say the Lieut. Governour has had a relacon. thereof and I'm apt to believe so too, that they may be reported to his honour. But, May it Please your worships, you must think, and I have such honorable thoughts of him as I cannot think otherwise than, that he would in all his actions Proceed Legally and think rightly and Justly of every man till the contrary be proved either by record or evidence and not give any great heed to uncertain Reports, well knowing that Reports are made according to the affections of the Party relating, as if from an Enemy; a little fault will be aggravated to a very great crime and if from a friend a great crime made a very Small fault; for he cannot reasonably nor honourably think otherwise of the Lieut. Governour upon the hearing of this relation if he has heard it, but that he must argue to himself or Perhaps to the Council too, this must be a malicious Report. Perhaps the Person might Speak a Peevish word and his Enemies have aggravated it to this height which a Bedlamist would never have Committed, 'noe noe, he will say, I can never believe it, what for a man of Reason a man of Learning and a Clergyman too and one that not long since has been at considerable charge and Trouble for Passionate Expressions of a farr inferiour nature to this, certainly the relation is uncertaine; and besides may he say it may reasonably be Supposed it is not soe, for surely I should have then heard of his Punishment, and by the greatness thereof have fudged of the heinousness of his crimes; or if the court had omitted or doubted to inflict a present Punishment on him they would certainly have represented it to me, or to me and the Council or at least to the Attorney General to have had a

Vindication of soe great an indignity, Especially being their Majesties Justices and then Sitting in Curia, tho they might have Passed it by in their Private Capacities; But Passing with Impunity there and noe representation made here, nor application made to the Attorney Generall makes me believe the report as hyperbollical as generally reports are Carried up and downe here.' Thus I apprehend the Lieut. Governour and Councils sentiments must be Supposed if they have heard it; and now Gent. to come and apply it Particularly I must tell you my thoughts, that I doubt your Inst. Sitting your Selves; for my self Such words as he Spake openly of me, may Endanger to Throw me upon the Fury of the Rabble, but to be sure can never admit me a Quiet Sitting and to maintain the dignity of the Place I sit in as I ought and will, or will never sit; for he that went so farr without committing a Crime, for crimes are known by their Punishment, may boldly dare to Proceed further; from the Trouble of which I pray God keep you and him from the wickednesse of Perpetrating. Thus Gent. I have rendered you the occasions of my former absence and the reasons that I cannot be Present with you at this Court according to my wishes I beg Pardon for my Length & Conclude myself your Worships ready and Obedient Servant.

Will. Fitzhugh.

It does not appear whether Fitzhugh ever again took his seat on the bench, but henceforth, certainly during the remainder of his life, Malachi Peale was the presiding magistrate. Fitzhugh seems, however, to have held on to the county standard; for twice, in February, 1691/2, and again in November, 1693, the court ordered it to be removed from Fitzhugh's house to that of Peale.

Martin Scarlet died a member of the Assembly in 1695.³⁰ Parson Waugh apparently could not find another candidate whom he deemed capable of taking up Scarlet's political mantle, for at the ensuing election in 1699, he got himself returned as a burgess for Stafford. This was a daring attempt to set aside a political precedent in Virginia, and it failed. Following the practice of the English parliament, which prohibited a clerk to sit in that body, and the Assembly's own previous determination to the same effect, Waugh was promptly unseated by the Assembly; 'being a Clergyman,' they said, he was 'disabled from Serving as a Burgess.'³¹ This is our last record of Parson Waugh.

He gave up his cure, certainly the frontier duty, before 1702²² and died in 1706.²³

William Fitzhugh also was now dead.²⁴ The passing of these three vigorous personalities, Waugh, Fitzhugh and Scarlet, marks the end at once of the century and the chapter of pioneer life in Chotank.

NOTES TO CHAPTER TEN

¹ In a letter from Maryland to the President of the Privy Council, 19 July, 1681, printed (from C. O. papers) in Scharf, *History of Maryland*, i, 285.

² See the depositions in *Md. Archives*, xv, 364, ff.

³ *History and Present State* (1705), iv, 76.

⁴ *Spotswood Letters*, ii, 341.

⁵ *Journals H. B.*, 1712-1726, p. 169.

⁶ There is a documented record of his career in *Va. Mag.*, vii, 197. His invaluable letter book has survived to throw many side lights on Virginia civilization at this time.

⁷ *Journals H. B.*, 1659-1693, p. 268, ff; *Legislative Journals of the Council*, i, 110; *Va. Mag.*, ii, 131; xix, 149.

⁸ *The Protestant Revolution in Maryland*: The best account of the ousting of Lord Baltimore's government at this time, written with documents not available to the earlier historians, is Dr. B. C. Steiner's paper in *American Historical Association Report*, 1897, p. 279. The Virginia tumult which precipitated it is noticed from tradition in Burk, *History of Va.*, ii, 305, and *DeBowe's Review*, xxx, 89.

If James II had maintained himself on his throne, Rachel might then have usurped Leah's title of the 'Old Dominion.' The weight of the younger sister's official influence was put on the side of caution and the proclamation of William and Mary was delayed until local malcontents had their opportunity, while in Virginia the English revolution was promptly and heartily accepted.

⁹ The story is told in detail in the minutes of the Maryland Council, *Md. Archives*, viii, 70 ff.

¹⁰ *Burr Harrison* (1637-1706), whom we have already met on his embassy to Conoy Island in 1699, was the immigrant ancestor of the family of that name ever since leaders in Prince William, Fauquier and Loudoun (See *Va. Mag.*, xxiii, 214 ff.). He was the son of Cuthbert Harrison, of St. Margaret's Westminster (Hayden, 512), and came to Stafford before October 25, 1669, when, with William Harrys and Thomas Baxter, he patented 1,200 acres on 'Asmale Creek that falls into the River Occoquan.' It is a curious fact that in this land grant [*Patents*, 6: 295], as in all the records of his participation in Parson Waugh's disturbance, Burr Harrison's name is spelled Harrys or Harris. It was not until he became a justice of the Stafford court in 1698 that the records show it correctly (e. g., *N. N.*, 2:305). The parish register of St. Margaret's Westminster is, however, conclusive that Burr's father's name was Harrison. The 'William Herris' who

was buried on Neabsco Creek in 1698 'by birth a Britaine, a good soldier, a good husband & kinde neighbour' (*W. & M. Quar.*, iv, 195), was undoubtedly of this family, probably the 'William Harrys' named in the land grant of 1659.

¹¹ *The Wests of Fairfax*: The John West of the text was the ancestor of the numerous family of that name who intermarried with the Pearsons, Chapmans, Harrisons of Chipawansic, Dades, Alexanders, Carlyles, Minors and other Potomac families, and were of political importance in Fairfax during Washington's day, as appears from the frequent reference to them in his diaries. The generations of this family are left in some confusion by reason of the loss of records in Stafford, Prince William and Fairfax, but a coherent account of it was compiled in *W. & M. Quar.*, x, 65. This note is an attempt to supplement that pedigree by identifying the more conspicuous Wests according to their public services.

I & II. The John of the text seems to have been the son of John West and Susannah Pearson who is mentioned in a re-grant of Northumberland lands made in 1698 (*N. N.*, 2: 295), and to have lived beyond 1704 in the neck between Dogue Run and Accotink on lands which he had purchased from William Green and which were afterwards included in the Belvoir estate (*Cf.* John West's letter to George Mason of 1702 in *W. & M. Quar.*, x, 65; *N. N.*, 3: 15, dated February 16, 1703/4, by which 'John West, sr.' acquired the escheat lands of Ralph Platt, deceased, i. e., the Platt of the text; and the statement by Hugh West to Prince William court May 26, 1740, *Prince Wm. D. B.*, D: 391, that he was then in possession of lands on Accotink which had been conveyed to 'his ancestor John West' by William Green).

III. It seems to follow that it was a son of this John West¹² (probably married to a daughter of Burr Harrison) who, on December 23, 1706, was named in *N. N.*, 3: 153 first among a group of kinsmen (John West, William Harrison, Thomas Pearson and Thomas Harrison) to whom was granted 4639 acres on the south side of Great Hunting Creek below the fork; being the lands subsequently referred to in Fairfax records as the 'Harrison patent;' and it was probably he also who headed the list of the Truro vestry elected in 1714 (*Truro Vestry Book*, ed. Goodwin, p. 21). There are scattering records of him in the surviving Prince William records for the years 1738 and 1739, which show that his wife was named Mary and that he owned lands (and perhaps lived) on the north branch of Little Hunting Creek, i. e., where the 'West's Grove' of later generations stood (See *Prince William D. B.*, D: 36, 195). He must have died before 1748, for he was not included in the Truro vestry elected in that year, but the loss of a portion of the earliest Fairfax Will Book has destroyed the record of his will, if any, and with it the evidence of the names of his children.

IV. Lacking the will of John,¹³ it is probable, but remains conjecture, that the Hugh, William and John West of the fourth generation, for whom there are many records, were his sons. There is, however, no evidence for the statement (included in the account of this family in the *Richmond Critic*) that Benjamin West (1738-1820) the painter, who was born in Pennsylvania, was of kin to them.

When Hunting Creek warehouse was built in 1731, it was on the lands of Simon Pearson (*Hening*, iv, 268), but before 1740 those lands had passed to Hugh West (*cf.* *Hening*, v, 104, 364), and on the original survey for Alexandria in 1749 (*D. A. R. Magazine*, March,

1921) the site was identified as that of 'Mr. Hugh West's H^o and Ware H^o.' It was accordingly this Hugh West who was, in 1740, in possession of the original John West's lands on Accotink and subsequently sold them to George William Fairfax, as the latter records in his will. He married his cousin Sibyl, daughter of the William Harrison of the N. N. grant of 1706 (See *Va. Mag.*, xxiii, 331, confirmed by the recitals in the deed of John West, jr. to George Washington, dated September 21, 1772), was a junior vestryman of Truro in 1744 and headed the list at the election of 1748. He sat in the Assembly as a burgess from Fairfax from 1752 to 1754, when he died, leaving a will (*Fairfax W. B.*, B: 74) in which he named his sons, who are enumerated below.

We assume that the William West of 'West's Ordinary' at the head of the Bull Run Mountain (see *post*, p. 494) was a brother of Hugh. The persuasive evidence is that Parson William West, son of Hugh, was recorded in 1749 as 'William West, Jr.:' while Charles West, son of William of 'West's Ordinary,' conveyed to Washington in 1772 a portion of the West lands included in the 'Harrison patent' of 1706.

It was another brother of Hugh, the fourth recorded John, who was the most conspicuous member of this family during the years preceding the Revolution. This John⁴ was elected to the Truro vestry in 1749 'vice Jeremiah Bronaugh deceased,' and in 1754 served under Washington as a lieutenant of the Virginia regiment (*Va. Mag.*, i, 279). He was present at the death of Jumonville and was then sent to Winchester in charge of the French prisoners (*Writings of Washington*, ed. Ford, i, 86) with the result that he was deprived of the honour of being at Fort Necessity and of receiving with his colleagues the thanks of the House of Burgesses (*Journals H. B.*, 1752-58, p. 198). Although he was active in recruiting service during that summer (*Letters to Washington*, i, 7, 29), like his Colonel he resigned his commission at the end of the campaign. It appears from *Mrs. Browne's Diary* that he had in 1755 already married his cousin, Margaret, daughter of Simon Pearson and widow of William Henry Terrett (one of the original proprietors of Alexandria), and was then living in Alexandria as a merchant on a lot recorded in his name on the organization of the town. Being for many years a justice of Fairfax, he was named 'first' in the commission of 1770 (Bulletin, Va. State Library, April, 1921) and was the 'Colo. West' of Washington's diary of 1760 and following years. In 1755 he succeeded to his brother Hugh's seat in the Assembly and was re-elected at intervals until 1776, when he retired. He died in 1777, leaving a will (*Fairfax W. B.*, D: 4) in which he named an only son, Roger, who was several times a delegate for Fairfax after the Revolution.

V. The commissions for Fairfax in 1764 and following years include with 'John West,' a 'John West, jr.' who had made his first public appearance in 1758 when he was elected clerk of the Truro Vestry. He was later county surveyor. As appears from the will of John Colvill of Cleesh, he had married that Colvill's daughter before 1755 and was later co-executor with Washington of his wife's uncle, Thomas Colvill. He lived at 'West's Grove,' near Alexandria on the lower road leading to Mount Vernon, where Washington visited him several times on the business of Thomas Colvill's estate. In that connection Washington was later severe in his condemnation of him, but George Mason names him in his will as an 'old and long tried friend' (Rowland, ii, 471). This 'John West, jr.,' being the fifth

of his name, was the eldest son named in the will of Hugh West, and so a nephew of 'Colo. John West.' On the retirement of the last named he was in turn elected to the Assembly of 1776 and thus sat in the Virginia convention of that year. This was, however, his only legislative service, for, a few months after his uncle, he died in 1777 (His will is *Fairfax W. B.*, D: 25).

In addition to a sister Sibyl, who became the second wife of John Carlyle (Spencer, *Carlyle Family*, p. 18), John West, jr., had several younger brothers who are also named in their father's will, and for all of whom lots in Alexandria were purchased at the 1749 sale on the organization of the town (*D. A. R. Magazine*, March, 1921), viz: Hugh, a lawyer in Alexandria, who married Elizabeth, daughter of John Minor, sat in the Assembly from 1756 to 1758 as a burgess for Frederick, and died in 1767 (His will is *Fairfax W. B.*, C: 7); George, named for his maternal uncle, George Harrison of Fairfax, was surveyor of Fairfax, married a daughter of Townshend Dade, and died in 1786 (His will is *Fairfax W. B.*, E: 134); and William, who took orders in England in 1761 (Fothergill), was the second parson of Fairfax parish (Bishop Meade), and subsequently removed to Maryland, where he served several parishes before he died in 1791 (*Appleton's Cyc. Am. Biog.*).

VI. The final record of the name here significant is that of John West.¹² He was a son of 'John West, jr.,' and appears in Washington's diary as a candidate for the Assembly in March, 1786, when he was rejected by the interest of Washington, who, smarting under the indignities to which he had been subjected during the administration of the Colvill estate, records the defeat in his diary with evident satisfaction. Eventually, however (in 1806), this John West succeeded to a seat in the legislature, which by that time was almost his hereditary right.

¹² See Spencer's letter to Culpeper, July 25, 1681, quoted *ante*, p.

¹³ *Md. Archives*, viii, 90. Secretary Spencer, in his despatch of April 27, 1689 (*Cal. Am. & W. I.*, 1689-92, No. 92, p. 32), throws an interesting side light on the situation, in respect to this indian:

'Suspecting the reality of the Indian's information, I ordered him to be secured, not doubting but by re-examination to discover the certainty of the designed forgery, but the notorious persons who set the Indian to work prevented a detection of their villainy by probably destroying him. The party sent to apprehend him weakly entrusted him to West and Harris, who offered to bring him in: and he has since been discovered, murdered in the woods, by West, who had best reason to know where to find him. He and others are to answer for their part in the matter.'

¹⁴ *Md. Archives*, viii, 82.

¹⁵ In *Old Virginia and Her Neighbours*, Fiske has an illuminating note collecting the facts as to anti-catholic agitation in the colonies at this time, and discussing the philosophy of it.

¹⁶ *Va. Mag.*, viii, 239.

¹⁷ See *post*, p. 302.

¹⁸ *Parson Waugh*: The Waughs were yeomen in Cumberland and Westmoreland and produced several men of parts, including the first bishop of Carlisle, a contemporary of our parson, who was also a John Waugh (1655-1734) and son of another John. (*Transactions, Cumberland and Westmoreland Antiquarian Society*, 1895). Parson Waugh does not himself appear on the lists of either of the English universities

but had had a classical education somewhere, as appears from the fact that the Stafford Court several times called him in to 'test' latin for them. The first record of his peculiar temperament is in 1674, when Berkeley suspended him for celebrating a marriage without a license (*W. & M. Quar.*, xv, 182). Although he then promised never to do the same again, the Stafford Court was put well beyond its depth in 1691 in the legal complication arising out of a marriage the Parson had celebrated for a girl of nine. There are glimpses of him keeping the ferry over Potomac Creek and frequently engaged in litigation over land titles. On one occasion he warned the Stafford surveyor, Theodorick Bland not to proceed with a survey or he would break the chain, which he forthwith proceeded to do. Parson Waugh accumulated titles to 6350 acres of land on Potomac Creek and the 'forest' at its sources, which he passed on to his eldest son (See *N. N.*, 1: 495; 5: 126.).

¹⁹ Rowland, i, 19.

²⁰ *The Papists in Stafford*: The prejudice thus engendered persisted but does not seem to have interfered with the activities of the Brents. In 1681 Lord Culpeper reported that the Stafford rangers refused to ride because their captain was a papist. That this was George Brent and that he continued to hold his commission appears from a claim allowed to him by the Assembly in 1684 for pay as captain of horse (*Journal H. B.*, 1659-93, p. 255.). In 1688 he was moreover elected one of the burgesses for Stafford. But after the revolution of that year, to-wit in October, 1691, the records of the Stafford Court show that a motion was made to tender the test oath to George and Robert Brent, alleged to be popish recusants; that in December, 1692, an information to the same effect was before the grand jury to the end that they might be barred from practicing law (See also *Cal. Va. State Papers*, i, 46); and in May, 1693, Richard Gibson represented to the Court that 'of all which there seems to be little or no notice Taken, but they suffered to go on.' Gibson was subsequently required to apologise to the Court for what he said on this occasion. Gibson's animus was not altogether religious, but was fomented by a lawsuit in which George Brent had worsted him. The final record is in October, 1696 (*Journals H. B.*, 1695-1702, p. 74), when the Assembly had before it a grievance that 'several Roman Catholics are employed by the said Lords Proprietors to bear offices' in the Northern Neck, and refused to take any action, resolving that 'the laws in such cases do provide sufficient remedy.' This attitude of the Virginia government is explained by the fact that the Brents discreetly kept their religion to themselves and were generally respected in the community.

²¹ *Md. Archives*, viii, 93.

²² *Ibid.*, 92.

²³ *Va. Mag.*, iii, 257.

²⁴ Spencer's despatch, April 29, 1689, *Cal. Am. & W. I.*, 1689-92. No. 93.

²⁵ The Virginia Council had, on April 26, 1689, ordered the proclamation to be made on May 23rd, following. See *Va. Council Minutes in Randolph MS.*, *Va. Mag.*, xx, 5.

²⁶ *Ibid.*, *Va. Mag.*, xx, 3, 10.

²⁷ *Va. Mag.*, iii, 255.

²⁸ Stafford Court Order Book (*MS.*), November 11, 1691.

²⁹ This refers to a Stafford *cause celebre* in May, 1690, in which David Darnell of Freestone Point was punished for trading trash

tobacco. (See *post*, p. 392). It does not appear whether Waugh Darnell, who appears in the land grants of the next generation, was a son of this David, but if so his name would suggest either that David Darnell was in some way connected with the parson by marriage or else named a son for him in appreciation of his support at this time.

²⁰ *Journals H. B.*, 1695-1702, p. 46. Fitzhugh recorded the event as 'sudden' (*Va. Mag.*, v, 170). A fragment of Scarlet's tombstone, found in 1903 on Burbages Neck, is given in *W. & M. Quar.*, xi, 145. In 1692 he had testified to the Stafford court that 'I have lived in the County of Stafford near thirty years long before' Fitzhugh did, which would bring him back to 1640. He must have meant that he was in Virginia at that date.

²¹ *Journals H. B.*, 1695-1702, p. 140; the precedent relied on is in Hening, i, 378. It is interesting that the parson's son of the same name subsequently represented Stafford (*Va. Mag.*, ii, 13).

²² Commissary Blair certified, in July, 1702 (*Va. Mag.*, i, 377), that John Frazier was then minister of 'Overworton.' Waugh may have continued to minister in Chotank, which had now become 'St. Paul's.'

²³ Dr. Tyler (*W. & M. Quar.*, xv, 189) gives the date from the surviving index of Stafford wills. In that year Parson Waugh's son, John, had a land grant as 'John Waugh, junior,' but his subsequent grants in 1710 are made to 'John Waugh.'

²⁴ In October, 1701. See *post*, p. 189.

CHAPTER ELEVEN

Thomas Lee at the Falls

AT the beginning of the eighteenth century, Stafford, scarcely free as yet of dread of indian outrages, was beginning to creep north of Great Hunting Creek and to make scattered clearings for 'out plantations' as well in the creek valleys as on the shore of the great river. The immigrants were now in a new country—the lands of the Anacostans, who long had occupied that portion of the 'freshes' which lay above the Does; which may be identified generally as including both banks of the river in the vicinity of the future sites of Alexandria and Washington city. It was, when the English came to occupy it, a pleasant region, of which Henry Fleet's warm and often quoted eulogy in 1631 still lives:

'This place,' he said, 'without all question is the most pleasant and healthful place in all this country, and most convenient for habitation, the air temperate in summer and not violent in winter. It aboundeth with all manner of fish. The Indians in one night commonly will catch thirty sturgeons in a place [i. e. below the Little Falls] where the river is not above twelve fathom broad. And as for deer, buffaloes, bears, turkeys, the woods do swarm with them and the soil is exceedingly fertile: but above this place the country is rocky and mountainous like Cannida.'

This description, especially in relation to the abundance of game, is testimony that the Anacostans dwelt on the edge of the great wilderness. Above them there were no 'old fields' to bear witness to a past or present agricultural population. The land grants thenceforth show that the only clearing in the forest were 'poison fields' resulting from the indians' fire hunting; thereby adding another proof that the boundary of the forest primeval was the head of navigation below the Little Falls. Here then it was that the tidewater tribes came into contact

with the northern indians, a place where different races met to trade, to exchange news and to fight. Capt. John Smith himself recognised this fact by confining his name 'Patawomeke' to the navigable waters;² and when the English ventured further up stream than Smith had ever gone, that is to say above the falls, they found that the northern indians themselves gave a new name to the waters there. To them the river now became *Cohongarooton* or Goose River, so called, from the multitude of geese which frequented it in winter.³

Before we follow the earliest settlers into the forests above the Falls and look on at their seating of the territory which was destined to become upper Fairfax and lower Loudoun, it may be expedient, in the interest of historical perspective, to take note again of the delay which preceded that immigration. Fortunately, there survives a convincing testimony to bring home the fact. We have seen Burr Harrison of Chapawansick pushing his way through this forest on his embassy to Conoy Island in 1699, and have read his report that it was then uninhabited. A generation later his son, Thomas Harrison of Chapawansick, completes that picture. In the deposition he made for Col. Byrd in 1737, already cited for other detail, the latter bears witness to the continuing mystery of the backwoods as late as 1700.

'About 50 years ago,' he says, referring to a period a decade after the Susquehannock war, 'Sundry families seated again about Hunting Creek, but at that time the falls of Potowmack were not known as ever he heard of. But about 36 or 37 years ago [i. e., 1700] when he went up to live at Hunting Creek he had heard people talk of going up thither to fish.'

To the historian the Falls of the Potomac will always suggest Lee of Virginia. With the instinct of that noble fish, the sturgeon, the first of the Lees showed his descendants the way up stream. He pushed his interests as far as Great Hunting Creek; and as soon as it was possible his grandson resumed the forward movement and planted himself at the Falls. It thus seems that it must have been an inherited confidence in a race destiny on the upper Potomac which dictated that memorable

prophecy, recorded before the middle of the eighteenth century, that in time the colonies would declare themselves independent of Great Britain and would here plant the seat of their government.⁴

Thomas Lee, fourth son of the second Richard Lee of 'Mt. Pleasant,' in Westmoreland, achieved his own conspicuous career. Born in 1690, he had, according to his family chronicle,⁵

'none but a common Virginia education, yet having strong natural parts, long after he was a man, he learned the languages without any assistance but his own genius, and became a tolerable adept in Greek and Latin. . . . By his industry and parts [he] acquired a considerable fortune, for being a younger brother, his paternal estate was small.'

He may well have visited the falls of the Potomac as a boy, for sport. Others from Westmoreland were doing so at this time, among them Daniel McCarty, Lee's neighbour at home and soon to be his brother-in-law; who, in 1709, was the first to take a land grant on the upper river, at the Sugar-lands.⁶ But what fixed Thomas Lee's own interest and, at the same time gave him his start in life, is that in 1711 he was, at the age of twenty-one, appointed resident agent for the proprietors of the Northern Neck. This came about as the immediate consequence of a woman's whim. Margaret, Lady Culpeper, widow of the Virginia Governor, died in May, 1710, leaving her daughter, Catherine, Lady Fairfax, then also a widow, to carry on, alone, the responsibility of an involved estate, a part of which was the Northern Neck proprietary. Lady Fairfax could not understand why so broad a domain as she understood she had inherited in Virginia did not yield her a larger income. Among other self-constituted advisers, she listened to the suggestions of one of her late husband's bailiffs who, writing darkly just before her mother's death, had filled her mind with suspicion:

'There are some papers of moment relating to the Virginia estate,' he said, 'in the hands of a certain person I know which will be of use, and upon an order from your ladyship I presume he will deliver them. That Mr. Perry is a sharp man

and I fear you are but very indifferently dealt with by him and his friend in Virginia, and if I don't help you to a chapman for it (which you shall soon hear further from me about), I doubt not of putting your ladyship and your lady mother in a way to make more of it yearly than hath been made since Mr. Perry and his friend's management thereof.'

On this, Lady Fairfax ended the Northern Neck agency which her mother had established, and cut off all relations with that great Virginia merchant the first Micajah Perry, and 'his friend,' Col. Robert Carter, of Corotoman. In their stead she turned over her affairs to Thomas Corbin, another London merchant, whose house had been identified with Virginia for two generations; and he in turn nominated, as the Virginia residents, his brother-in-law, Edmund Jenings, and his nephew, Thomas Lee. At the moment, Jenings was in England. As he was not immediately to return to the colony, the duty fell on young Lee to take over the estate books and begin the new agency; and for four years he was in sole charge in Virginia.⁸

Lady Fairfax's power of attorney to Lee was dated December 11, 1711,⁹ but he did not begin to sign grants until September, 1713. His notes on the grant books, and particularly his inauguration of the practice of entering the surveyor's plats with the grants,¹⁰ testify to the enthusiasm and thoroughness with which he then took hold of the job. Although the greater number of the grants he issued were on the waters of Elk Marsh and Occoquan, it may fairly be assumed that his zeal carried him on tours of observation over all parts of the proprietary where it was safe to go at all; but it was not until 1716, when his uncle, Jenings, returned to Virginia and himself took over the responsibility, that Lee made use, for his own account, of the information he had acquired.

Following McCarty's Sugarlands grant of 1709 there was a long interval before other surveys were made on the upper river. The first conspicuous ones were those of Alexander Scott, the parson of Overwharton. In December, 1716, he took a grant of 946 acres 'on the South side of, and near the head of, a run called by said Scott and others Scot's Run,

issuing out of Potowmack river between Difficult and Pimmett's Run above the falls of said river;' and a month later followed this up with another for 770 acres 'on the north or upper side, and near the head, of Pimmet's Run *alias* the Upper Spout Run, falling into Potowmack river and near the falls thereof."¹¹ A year later Lee, himself, followed this lead. Beginning with a small grant of 285 acres, issued by Jenings in the name of Richard Lee¹² 'on the upper Side of Lee's Creek, being the second great branch issuing out of the south side of Patowmack River above the Sugar Land Island,' he closed the books of the Jenings agency in August, 1719, with two grants in his own name, aggregating 3,700 acres, at the Falls and on the lower side of 'Lee's Creek.' Thereafter, during Robert Carter's second agency, Thomas Lee went on until he had accumulated 16,000 acres between these landmarks, the greater part of which was in what is now Loudoun, on either bank of Broad Run.¹³ It is of interest that in doing this he made an earnest and persistent attempt to impose his name upon the stream we know as Goose Creek. If he did not succeed, that name is nevertheless perpetuated in the vicinity: in lieu of 'Lee's Creek' the town of Leesburg honours his memory.¹⁴

While Thomas Lee acquired a large area of agricultural lands in the Sugarlands, it is significant that his grants at and between the Great and Little Falls were on the river bank, where the land was poor. His ambition was not so much to plant tobacco, as to control the commercial destiny of an extensive back country. Before Alexandria and Georgetown came into existence he dreamed of establishing a seat of commerce at the head of Potomac navigation. Having earlier secured the strategic sites, he waited patiently for population to make them valuable. But, as it befell, the seating of the upper Potomac was delayed by the creation of the 'manors,' and, when at last the expected commerce of the region began, Lee's plans proved abortive. It remained for others to realize his vision. One can now conjecture that a cause of Lee's failure was his unwillingness to share opportunities with the Scots merchants who were the dominant traders in the Potomac and had it in their power to make or mar any mart on that river; at all events,

he certainly showed an uncompromising tenacity in his negotiations with Robert Carter in 1728, when that potentate wished to build an ore dock below the falls, and could have helped him.¹⁵ By this last miscalculation Lee alienated the entire Carter family, and it would be characteristic of the intrigues among the dominant Virginia families of the time to credit to the Carters an adverse and persistently effective political influence upon all that Lee sought henceforth to accomplish at the Falls in his own behalf. Although he was advanced to the Council in 1733 and lived to achieve, by seniority of service, the presidency of that body and so to have the honour of ending his life as Commander-in-Chief and acting Governor of the colony after Gooch's return to England,¹⁶ he had not been able to secure the designation of his lands at the Falls as the location of a public tobacco warehouse until 1742, a decade after the Scots had laid the foundations of their later towns on the Quantico and Hunting Creek.¹⁷ He seems, indeed, to have played here a lone hand. Even after Lord Fairfax arrived in the colony he did not enlist his interest, but saw him give a powerful support to the Scots on Hunting Creek. His only confidential associate in this effort seems to have been Francis Awbrey, that forgotten worthy, the first citizen of Loudoun, who played a large part in the earliest settlement of the upper Potomac but died too soon to be of material aid to Lee's plans.¹⁸

The site at the mouth of Pimmet's run had, indeed, every natural advantage for an *entrepot*. As compared with its successful rivals, it was first in the field. Here Henry Fleet had traded with the Iroquois. It was, too, a main crossing of the river used by the Maryland indians and by the white men who succeeded to their lands. From the Virginia shore extended thence inland north and west those two trails which became the Sugarlands Rolling Road and the Falls Rolling Road and were used as their access to the upper country by a large proportion of the earliest English immigrants from the South. The relation with Maryland was of enough importance to justify a ferry here prior to 1737,¹⁹ and that that ferry was then frequented is evident from the fact that Francis Awbrey found it profitable

to convert it into a public ferry in 1738, and, before the warehouse had been established, to maintain an ordinary on the Virginia shore to serve the travel there.³⁰ While Thomas Lee, and after him his eldest son, made what they could of these opportunities, it does not appear that their venture was ever a business success. Both Alexandria and Georgetown blanketed them. The premonition of this fate was the removal in 1748, after Francis Awbrey's death, of the public ferry to Analostan Island over against the then nascent settlement of Georgetown.³¹

But despite their setbacks, the Lees maintained their belief in the Little Falls site. In 1772 Philip Ludwell Lee laid out on it his proposed, but never realized, town of Philee,³² and he maintained the 'Falls Warehouse' to the end of his life in 1775. That warehouse was, indeed, continuously recited in the tobacco acts down to that of 1792;³³ but after its site had been included in the District of Columbia, and the navigation of the Potomac had been opened around both the Little and Great Falls, a successor was established at the Great Falls.³⁴ There at last it seemed for a moment that Thomas Lee's dreams might take on substance. The activities of the Patowmack Company lead to the incorporation of the town of Matildaville at the new warehouse site. While on Bryan Fairfax's land, this town was a speculation by General 'Light Horse Harry' Lee who had then succeeded to some of Thomas Lee's Falls property.³⁵ For some years Matildaville was a commercial focus of great activity and promise, but fate was implacable against Thomas Lee's ambition, even in the third generation. If his vision was realized in principle when Washington city was laid out, none of his descendants had in it the reward he intended for them. His inheritance had passed to the merchants of Georgetown.

The significant historical fact in respect to the settlement of the territory above the Falls is that the immigration thither was delayed until, under the terms of Spotswood's treaty of Albany of 1722, the Iroquois had withdrawn beyond the Blue

Ridge and had removed with them the danger to the English frontier from the Piscataway fort on Conoy Island. The McCarty, Scott and Lee grants, secured prior to that treaty, were all adventures in the wilderness. It was, indeed, only after Robert Carter opened his new books at the beginning of his second Northern Neck agency, in the spring of 1723, that a few individual planters began to seat themselves on small holdings beside the greater grants which had preceded them, and ten years later before there was more than a scattered series of forest clearings reaching up the ridge trail. During this period we can trace in the land grants the northward progress through the valley of Four Mile Creek²⁹ of such locally characteristic names as Pearson, Broadwater, Elzey, Gunnell and Lewis, past that conspicuous natural landmark, 'the Rock Stones called Brandymore Castle,'³⁰ and over the divide until they reached 'the Clerke's Folly in the Poison Fields above Difficult.'³¹

Contemporaneously, settlers were also pushing through the McCarty, Lee and Carter 'manors' above Difficult and seating themselves on the banks of the river beyond the Falls. One of the earliest of them was Philip Noland³² who, in 1724, took a grant at the mouth of Broad Run, where he was joined a year later by Francis Awbrey, whose daughter he married. In 1728 Awbrey took another forward step and crossed Goose Creek to accumulate broad holdings of the limestone lands on the river below the Catoctin Range. The largest parcel was 'on the side of Potowmack river about five or six miles above the mouth of Goose Creek,' where beside the 'Big Spring' he made his residence. Eventually he took also a grant above 'Clerk's run,'³³ at what must already have been a familiar river crossing, and there established the original Point of Rocks ferry.³⁴

This last survey overlapped an Irish settlement opposite the mouth of Monocacy, which had been in existence at least from the beginning of 1725. It was apparently a bridgehead pushed across the Potomac by immigrants who were then crowding into Maryland from the north to establish the community afterwards known as Fredericktown.³⁵ In January, 1724/5,³⁶ William Hawlin (spelled in the records also Hallin and Halling) took a grant of 535 acres, described simply as

'above Goose Creek on Potowmack river side' but identified by subsequent references at first as 'below the Yaller Rocks' and later as 'on both sides Red Rock Run.' Above this, in 1729,¹ Margaret Hawlin had a grant of 416 acres '15 or 16 miles above Goose Creek and about two miles below the Kitchen Mountain' which is further located by references in later grants to 'Clerk's Run.' 'The widow Hawlins' thenceforth for some years remained a landmark and in her vicinity lands were occupied, not always under the formality of a grant, by Irishmen who had come out of Maryland. One of these was that John Tuton who is mentioned in Awbrey's Point of Rocks grant, and from later grants seems to have been bought out by Awbrey. In like manner Amos Sinclair² bought out the widow Hawlin, and in 1731 took, in his own name, several original grants in the same vicinity. Catesby Cocke³ and Benjamin Grayson,⁴ earliest speculators in Loudoun lands, followed with grants on the head waters of Limestone.

Thus was made the original map of Loudoun as far north as the Catoctin range (the widow Hawlin's 'Kitchen Mountain'); for beyond that boundary there was already another story.

NOTES TO CHAPTER ELEVEN

¹ *Brief Journal* in Neill, *The Founders of Maryland*, 1876, p. 27.

² *Smith's Works*, ed. Arber, i, 52. There has been much fanciful interpretation of this passage, but see Bozman's sane and lucid comment in his *Maryland*, i, 138.

³ *Cohongarooton*: The map called Capt. John Smith's did not show the falls of the Potomac and inscribed the name 'Potawomeck flu.' only at the mouth of the river. One who read that map without the aid of the accompanying text was thus justified in taking the Smith map as authority for applying the name Potomac to the entire river, including the part above the falls, when that landmark was reached in the progress of discovery up stream. This seems to have been Robert Carter's judgment, for he extended the designation, Potomac, in the earliest land grants above the falls (1709). It was, doubtless, for that consideration that Graffenried followed suit on his map of 1712. In 1737 Col. Byrd seized upon these testimonies for the purpose of his political argument (*Westover MSS.*, ed. Wynne, ii, 125) and made them the authority for his claim that the 'head' of the Potomac was the confluence of what he denominated two tributaries, Shenandoah and Cohongarooton. It is significant, however, that Lord Fairfax's com-

missioners replied to Byrd by pointing out that in common usage the name, Cohongarooton, extended down to the falls, wherefore no convincing argument could be drawn from that name for limiting the proprietary at the mouth of the Shenandoah. The difference in nomenclature thus asserted is clearly brought out by Ferdinand John Paris' report to the Penn heirs in 1737 (See *post*, p. 621). He said, 'Lord Fairfax's Comrs., you'll observe, describe the upper part of the River thus, 'Potowmack River, called Cohongaroota by Col. Lee since the date of the patent;' but on the other hand the King's Comrs. describe it thus, 'Cohongarooto River, so called from its head to the mouth of Shenondo.' Thomas Lee is thus shown to have been an advocate of the application of the name Cohongarooton above the falls. He was, undoubtedly, following the indian practice which he had learned during his Northern Neck agency and could point to a similar interpretation not only on some of the early maps which followed Smith generally but sought to extend his system of nomenclature (e. g., Herrman, 1673, who gave the name 'Turkey Buzzard' to the main river above the Eastern Branch, and John Senex, 1719, who labels it 'Nemaughton,' apparently adapting for that purpose the name, 'Nameroughquena,' which Smith had assigned to the Anacostan village on Alexander's Island) but also on that 'General Map of the known and inhabited Parts of Virginia' which Governor Gooch sent to the Lords of Trade in May, 1731 (See *post*, p. 617). Here the Falls are laid down and the river is clearly divided by them as 'Potomack R' below and 'Cohongarouton R' above. As 'Shanando R' is also indicated, this was not due to any misapprehension of topography. That Thomas Lee was consistent in his practice, even after common usage had crystalized Robert Carter's nomenclature, appears in his will of 1749 (*Lee of Virginia*, p. 121) which refers to the river above the falls as 'Cohongaronto or Potomack.'

⁴ Lee, *Richard Henry Lee* (1825), p. 7, seems to be the source of this tradition. The authority given for it is the memory, by an old man, of a conversation with President Lee.

⁵ *Lee of Virginia*, p. 103.

⁶ *N. N.*, 3: 248. Daniel McCarty (1679-1724), son of Dennis who died in Richmond County in 1694, represented Westmoreland in the Assembly from 1705 until his death, being speaker in 1715 and 1718. He married Ann, daughter of the second Richard Lee and widow of the second William Fitzhugh. His M. I. in Yeocomico churchyard is reproduced in *W. & M. Quar.*, vii, 97.

⁷ *The Fairfax Correspondence*, (ed. Bell, 1849) ii, 242.

⁸ *Edmund Jennings*: It appears (*Acts P. C.*, Colonial, ii, 825) that in 1713 William Croke was appointed to Edmund Jennings' place in the Virginia Council on the allegation that the latter was then living in England 'to recover his health and settle his private affairs' and 'intends to return no more.' But he did return in the spring of 1716 and was reinstated in the Council in consideration of his previous important service. Jennings' private affairs were now seriously involved by debts to Micajah Perry; and, though he was old and in bad health, he could not afford to forego any source of income. The result was that he took over the local management of the proprietary, leaving to his nephew, Thomas Lee, only the charge of the estate office, which remained at Mt. Pleasant in Westmoreland. The result of this was that the business of the proprietary suffered, there were complaints in the Assembly, and both Jennings and Lee were superseded (see *post*, p. 231).

⁹ *Westmoreland D. B.*, 5: 56. It would be interesting to know whether Lady Fairfax's selection of her new agents was made on the advice of old Philip Ludwell who, in 1711, was still living in England. Having married Lady Fairfax's cousin, Frances Culpeper, the widow of Governor Berkeley, he had become a kinsman. Thomas Lee eventually married a granddaughter of this Philip Ludwell, and so tied that particular knot of Virginia cousins still tighter.

¹⁰ Robert Carter did not continue Lee's practice in this respect, but William Fairfax resumed it in 1739. As a consequence, *N. N.* books 5 and E are the most helpful of the entire series for present day research.

¹¹ *N. N.*, 5: 79, 131. For Pimmett's Run, see *ante.*, p. 75.

¹² This seems to have been Thomas Lee's brother, the London merchant. The second Richard Lee died March 12, 1714/15 (*Lee of Virginia*, p. 77). He had been trading in partnership with his brother-in-law, Thomas Corbin (*Acts P. C.*, Colonial, ii, 492), and at home in Virginia served the office of Naval Officer for the Potomac district. After his death these functions were distributed among his sons. The third Richard Lee went to London to join the Corbin house, and Thomas Lee succeeded as Naval Officer in Virginia.

¹³ Thomas Lee's grants on the Potomac above the falls are *N. N.*, 5: 176, 240, 241; A: 111; B: 162; C: 1; F: 188.

¹⁴ Lee was following the common precedent of the earliest landholders at the mouth of a stream when he wrote 'Lee's Creek' into his land grants. But when 'King' Carter resumed the proprietary agency and had a dispute with Lee about some lands which he wanted himself, he translated the indian name of the stream and so established the designation Goose Creek (*N. N.*, A: 118; B: 61). Lee accepted this in a grant of 1728 (*N. N.*, B: 162), but that he had not done so with good grace is evident from the fact that when he came to write his will, in 1749 (*Lee of Virginia*, p. 121), he called the stream 'Goose or Lee's Creek.'

¹⁵ See *post*, p. 422.

¹⁶ Thomas Lee was sworn of the Council October 24, 1733 (Council Minutes, C. O., 5: 1420, p. 142). Governor Gooch's last Council was on August 26, 1749, and on September 4th following, Lee was sworn as Commander-in-Chief and acting Governor. His death was reported to the Council by his successor, Lewis Burwell, on November 21, 1750 (*ibid.*, 1423, pp. 400, 477).

¹⁷ Hening, v, 143. The first inspectors at the Falls Warehouse were Daniel French and Townshend Dade (C. O., 5: 1423, p. 208).

¹⁸ *Francis Awbrey* (1690?-1741) makes his appearance in the Virginia records in the 1694 will of his uncle, Henry Awbrey of Essex (Transcripts of Essex Records, 1692-95, in Va. State Library, p. 352) as the 'youngest son of my brother, John Awbrey.' His father may have been that John Awbrey who died in Westmoreland in 1720 (Crozier, *Westmoreland Wills*, p. 35) but no Francis is named in that will. In 1717 he established himself (*N. N.*, 5: 135) in the fork of Pohick and thenceforth until 1731 was active in the contemporary land speculation in the territory which became Loudoun. In Robert Carter's *Letter Book* he appears several times as 'Frank Awbrey,' working apparently in close co-operation with Thomas Lee. His own land grants at this time (*N. N.*, B: 106, 166, 202; C: 30, 102, 185) were on the Horsepen of Broad, on Cub, on the branches of Four Mile, on Catoctin and Goose and on Potomac above Goose Creek. On the

organization of Prince William in 1731 he was included in the first commission of the peace and the next year became the inspector of the Pohick warehouse and a member of the Truro vestry. In 1739 he served the office of Sheriff of Prince William, and, in 1741, he died (See his will in *Prince William W. B.*, C: 341). The Truro vestry book had shown him building a 'chapel above Goose Creek' between 1733-35, the location of which (*post*, p. 304) proves that at the end of his life he lived beside the 'Big Spring' near the site of Leesburg. This is confirmed by the name 'Aroberry,' indicated on the Potomac below the mouth of Limestone, on the early maps (Jefferson and Brooke, 1746; Fry & Jefferson, 1751, and Thomas Jefferson, 1787), all of which apparently derived it from a sheet now missing of Robert Brooke's Potomac map of 1737.

Francis Awbrey's will mentions his wife, without any clue to her identity; sons, John, Thomas, Richard, Francis, George, Henry and Samuel; daughters, Elizabeth Nowland and Sarah. John Awbrey was a surveyor and sometime inspector of the Hunting Creek Warehouse; his will and that of his brother Richard, were proved in Fairfax in 1743. As recited in his father's will, Francis, jr., lived on the Pohick lands, where he had voted in 1744 (Boogher). George, Henry and Samuel were under age at their father's death, as recited by his will, by which they took inheritances on the Potomac above Goose Creek. There George died in 1753, when his will was proved in Fairfax Court. Thomas is cited, *post*, note 31.

¹⁹ Robert Brooke's Potomac map of 1737 shows 'Magee's ferry' here and he mentioned it also in his expense account of that survey (*Cal. Va. State Papers*, i, 229). This ferry may have been established as early as 1720, when the Maryland record shows that the 'Prince Georges road' was open as far north as Rock Creek.

²⁰ For Awbrey's Falls ferry license see Hening, v, 66. By his will (1741) Awbrey left to his son, Richard, 'fifty acres of land reserved at the falls where the ferry and ordinary is kept.'

²¹ *Journals H. B.*, 1742-49, p. 262, 325.

²² Hening, viii, 622.

²³ Hening, xiii, 479.

²⁴ The transfer must have taken place in 1792 when the inspection was established at Great Falls by the act last cited; for while Andrew Ellicott's well known survey of the 'Territory of Columbia,' drawn in that year, includes the original warehouse site, there is no indication that such a facility was then in active operation.

²⁵ His right was derived through his first wife, Matilda, daughter of Philip Ludwell Lee, for whom the town was named. See *post*, p. 559.

²⁶ The name appears as early as 1694 (*N. N.*, 2: 14) and undoubtedly was assigned in the exploration of the Howson (Alexander) grant of 1669 (*Patents*, 6: 262), which included its mouth, because that landmark was substantially four miles above the mouth of Hunting Creek.

²⁷ *N. N.*, A: 113. This appears to have been what is now called 'Minor Hill,' which tops the drainage ridge between the waters of Pimmett's and Four Mile runs.

²⁸ *N. N.*, C: 88: As appears from some surveys of 1736 and 1742, which remain of record in the Land Office in Richmond, Difficult was the northern limit of the characteristic small tracts by which eastern Fairfax above Hunting Creek was seated. When Lord Fairfax inspected that territory in 1736 he found so few seatings between Difficult and the Sugarlands that he was enabled there to interpose

below the Carter's Frying Pan tracts that Great Falls manor of 12,588 acres which he later gave to Bryan Fairfax (*N. N.*, E: 38; I: 124).

²⁰ See *post*, p. 503.

²¹ Cf. *N. N.*, B: 166 and F: 224.

²² *The Point of Rocks Ferry*: In his will of 1741 Francis Awbrey mentioned a river tract above 'Clerk's run,' on which he identified 'the ferry landing' and 'the ferry road.' This tract was devised to the testator's son, Thomas Awbrey, who perfected the title (*N. N.*, F: 224) and was in possession of it in 1769, when a public ferry was licensed there (Henning, viii, 369). It does not appear that this ferry was much frequented, for in 1775 (*Loudoun O. B.*, E: 30), when the county court had under consideration a proposal to improve the road approach to it, it was objected that Thomas Awbrey did not maintain 'a proper boat for the ferry.' Thomas Awbrey died in 1787 (See his will in *Loudoun W. B.*, C: 258), and there is no record of this ferry in the revisals of 1794 and 1819. In 1834 (*Acts*, 1833-34, ch. 150, p. 179) Rebecca Johnson, then holding Thomas Awbrey's lands, revived the ferry 'from her lands in the county of Loudoun across the Potowmac to the Point of Rocks on the Maryland shore,' and the Loudoun records show that in 1837 Margaret Graham had succeeded at once to the Awbrey lands and to the ferry privilege. Thenceforth this ferry continued to function until it was superseded in 1847 by the bridge built by the Potomac Bridge Company 'at or near the Point of Rocks, opposite the Patomac furnace property' (*Maryland Laws*, 1846-47, ch. 99; *Acts*, 1846-47, ch. 158, p. 145).

²³ These people crossed the Potomac partly because the cost of entry for land was less in Lord Fairfax's office than in Lord Baltimore's, and partly because the Monocacy valley had then been preempted by Maryland land speculators, e. g., John Digges. For the Fredericktown settlement see Scharf, *History of Western Maryland* (1882), i, 358.

²⁴ *N. N.*, A: 118.

²⁵ *N. N.*, B: 215. Margaret Hawlin seems to have been the widow of the original William Hawlin; and it would follow that the William Hawlin, who was one of the Truro processioners in this region in 1743 (*Truro Vestry Book*, ed. Goodwin, p. 19), was probably her son. The name persisted in the neighbourhood. It was another William Hawlin who in 1816 revived Josias Clapham's ferry below the mouth of Monocacy (See *post*, p. 503).

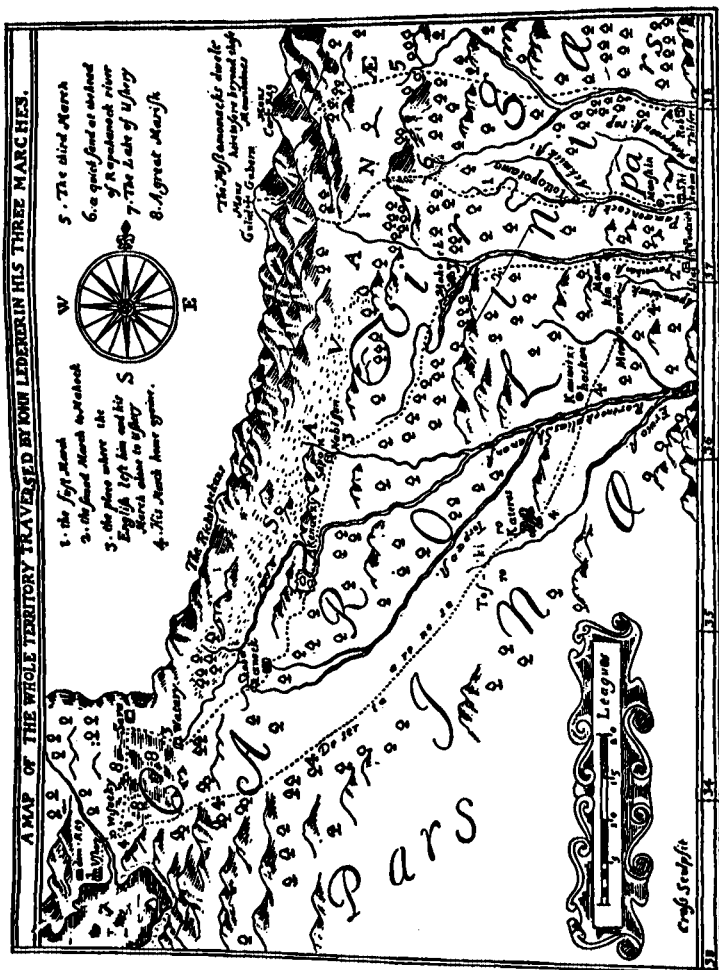
²⁶ *N. N.*, D: 56. 'Amos Sinkler' voted at the Prince William election in 1741 (Boogher, 117). 'Sinclare' is marked, with reference to a house immediately opposite, but above, the mouth of Monocacy, on all the maps which followed the Potomac survey of 1736.

²⁷ *Catesby Cocke*: Dr. William Cocke (1672-1720) 'an English Physician, born of reputable parents at Sudbury in Suffolk, and educated at Queens College, Cambridge' (See his M. I. in Bruton church, Goodwin, p. 39), married a sister of Mark Catesby, the naturalist, and emigrated to Virginia, where in Spotswood's time he became Secretary of State, and died dramatically on the bench of the General Court.

His son, Catesby Cocke (1702-*post* 1762), was bred in the Secretary's office and as soon as he could qualify was preferred to a clerkship. It was thus that about 1728 he came to live on the Potomac as clerk of Stafford. On the organization of Prince William (1731) and Fairfax (1742) he was successively transferred to the same function in those new counties. His last official service was in 1746, when

he resigned his clerkship to live out the remainder of his life in retirement. During all the years of his active life (1728-1746) he was an energetic speculator in Northern Neck lands, principally in the region above Goose Creek (his grants range from *N. N.*, B: 155, to F: 304), but his residence was on the upper shore of the Occoquan, near the ferry landing opposite the first Prince William court house (See his name there on Robert Brooke's Potomac map of 1737). At the end of his life, however, he removed to Dumfries, where he died after 1762 (His will, if any, is missing: the last record of him is a deed he executed September 14, 1762, recorded in *Prince William D. B.*, P: 262). Of this period there is an amusing entry in Washington's diary on January 12, 1760, that he was told at Dumfries 'that Colo. Cocke was disgusted at my house [Mount Vernon] and left because he saw an old Negroe there resembling his own Image.'

²⁷ *N. N.*, D: 84. *Benjamin Grayson*, who voted at the Prince William election in 1741 (Boogher, 117), was one of the earliest of the Scots merchants to be established on Quantico, where Dumfries was to arise, for there, in 1736, was born his well known son, William. The latter, after brilliant service as colonel of a regiment of the line in the Continental army and subsequently in the Continental Congress, was the first Senator to represent Virginia in the Congress of the United States. Dying in 1790, he left a reputation which, says Grigsby, 'may fitly fill one of the brightest pages in our annals' (See *Virginia Convention* of 1788, i, 194). Grayson County was named for him in 1793.



JOHN LEDERER, 1672.

CHAPTER TWELVE

When the Convicts Came

FOR more than half century after Stafford was organized, the original constitution of the community remained socially unchanged. The population included, with a few large landholders like the Brents, the Masons and the Fitzhughs, an increasing proportion of small planters. In the second generation family ties with 'home' had indeed been generally broken and the typical Virginia family, forgetting the traditions of its local origin, was becoming creole;¹ but the lamp of English nationality was kept tended among them by politics, by periodical contact with the crews of the tobacco ships, and by the continuing infusion of free English men and women imported as servants under indentures.

These new comers worked in the fields but their masters often worked with them, and they were uniformly treated as members of the planters' families on the footing of apprentices in England.² There was nothing servile about them socially or otherwise and they soon graduated into the planter class. There had been, of course, slaves on the Potomac from the earliest settlements on that river, but as it required more capital to equip a plantation with them than with English servants, the number of slaves increased slowly. In the Stafford of the end of the seventeenth century where there was little wealth, the few negroes were mostly house servants.³ It was this characteristic of the community to which the Assembly alluded in 1699 when it spoke of 'the poorer sort [of planters] whose servants are for the most part Christian.'⁴

These simple and patriarchal conditions survived until the frontier was widened in 1722. They are reflected in an important document which may be taken as the final statement for the first period of the history of old Prince William.

In 1724 the Bishop of London, charged with the super-

vision of the clergy in Virginia, sent to them a questionnaire as to the conditions in their several parishes. One who responded was Parson Alexander Scott, whom we have already met as one of the earliest land speculators on Cohongarooton. His report on Overwharton parish, which then included all of old Prince William, testifies vividly what a small and homogeneous community it still was:

'The bounds of my Parish is not Known,' he said,⁵ 'it being a frontier parish, but is inhabited near 80 miles in length and in some places near 3 miles, in others near 20 miles in breadth, and about 650 families. There are no Indian nor other Infidels among us but Negro Slaves, the Children of whom, and those of them who can speak and understand the English Language, we instruct and baptise if permitted by their Masters. Divine Service is performed but once every Sunday either in Church or Chappels by reason of the Great distance the inhabitants have to go to Church or Chapel, Some living about 15 miles distant from either, and the plantations being but thin Seated. Notwithstanding, I have then generally as full a congregation as either Church or Chappels can contain and can well be expected in such a thin seated place. I administer the Sacrament of the Lord's Supper 6 times a year, and generally have betwixt 80 & 100 Communicants each time.'

Even as Parson Scott was writing, a profound modification of the community life had begun. The spread of the seated area had created a demand for more and cheaper servants to work the land, and that demand was being met by the introduction of a new element in the population, which soon gave serious concern to all responsible men resident above the Rappahannock.⁶

The newcomers were the convicts who, in pursuance of the act of Parliament of 1718,⁷ had been 'cast for transportation' to 'the plantations.' If it be true, as Professor Pollard has recently asserted, that 'the purpose of Elizabethan projects of colonization was less to reproduce desirable communities in new worlds than to expel undesirable elements from the old,'⁸ Virginia had in 1718 enjoyed a half century of respite from such importa-

tions. In April, 1670, the General Court ordered⁹ 'that it shall not be permitted to any person trading hither to bring in and land any jail birds or such others who, for notorious offences, have deserved to dye in England,' and the Privy Council duly confirmed this order, for which Virginia sent Lord Arlington its grateful thanks.¹⁰ Beverley was thus able to say in 1703:¹¹

'As for Malefactors condemn'd to Transportation, they [the Virginians] have always receiv'd very few and for many years last past their laws have been severe against them.'

But when he came to rewrite his book in 1722 the historian found it necessary to revise this passage to read:

'As for malefactors condemned to transportation, tho' the greedy planters will always buy them, yet it is to be feared they will be very injurious to the Country, which has already suffered many murders and robberies, the effect of that new law in England.'

England had, indeed, now perpetrated what Benjamin Franklin later termed 'the most cruel insult that perhaps was ever offered by one people to another.'¹² Virginia protested again promptly, but this time in vain. In 1722, the Assembly accordingly addressed itself to mitigating the evil. The recital of the act then passed 'concerning servants and slaves,' is the first chapter of a degrading story. 'Whereas,' said the Burgesses¹³ 'of late years many persons convicted of felonies and other notorious crimes in Great Britain, have, according to Act of Parliament made in the fourth year of the Reign of our Sovereign Lord King George [the First], been transported into this Colony, and not only great frauds have been committed by the persons intrusted with their Importation, but many Cruel murders and frequent Thefts and Robberies have been and still are committed here by such Convicted persons, whereby the lives and estates of his Majesties good subjects are in great danger.'

In this situation the Assembly debated but, fortunately, rejected a curious plan. 'I cannot here omit mentioning,' says Hugh Jones,¹⁴ who was in Virginia at the time, 'a late design of seating all convicts that should be imported into Virginia in a county by themselves under the care of proper overseers who should confine them from doing any Hurt, and keep them to their labour by such methods as are used in Bridewell. The Land intended for this new county is very good and fit to produce Hemp and Flax, which they were there solely to cultivate and manufacture, from whence the county was designed to be called Hempshire.' While the declared intention of this proposal was to supply the royal navy with cordage, there may well have been a cynical implication of expectation that the unfortunates might provide their own halters.

The protective provisions of the act of 1722 as it passed were however less novel, being limited to the discouragement of those planters who bought the convicts, by requiring them to register with the county court the names and the offenses for which their servants had been transported. The avowed purpose was the same which dictates the rule of the hunting field that a kicking horse shall have a red ribbon tied into his tail. In this respect the law had the appearance of a mere measure of police; but the experienced British government was not unreasonably suspicious of the Assembly's motive. The act was accordingly promptly disallowed by the Crown, on the ground, assigned by the Privy Council,¹⁵ that 'the difficulties it imposes on the importers of convicts almost amount to a prohibition of the transportation of felons from Great Britain;' and it is altogether likely that that was precisely what Virginia hoped to accomplish.

As every reader of Defoe's novels will remember, the surplus of English jails was henceforth disposed of to contractors¹⁶ who became promoters in ordinary of colonial emigration, succeeding to the function of the kidnapping 'spirits.' The fact that Virginia and Maryland attracted English ships to freight their bulk tobacco and could use white servants as well as negro slaves in their agricultural practice caused them to re-

ceive more than their fair share of these 'king's passengers.' It seems that most of those who now came were sold in the newer parts of the provinces and, being the cheapest servants obtainable, the newly seated Irish and Huguenot planters of Stafford took a substantial number of them. They included not only educated unfortunates like George Washington's first tutor and women of the Moll Flanders type, but degraded gin fiends out of Hogarth's pictures, sturdy beggars, even gypsies.¹⁷ After completing their stipulated seven years of plantation servitude and being forbidden to return to England at the risk of being hanged, many of these miserable creatures became idle vagabonds in the colony. Living from hand to mouth at cock fights and horse races, they seem not only to have betaken themselves to murder and theft on their own account, as recited by the Assembly, and to debauching good servants as stated by Hugh Jones; but to have become hireling tools for vicarious acts of revenge or spite. The precedent of arson had been set for them in the general and passionate resentment aroused among the obscurantist element of the planters by Governor Spotswood's abortive tobacco inspection act of 1713, as appears from the thunders of the Assembly in its act of 1714 'to prevent the malicious burning and Destroying the Public Storehouses of Tobacco Agents;¹⁸ but the first evidence of the commission of that particular crime by convicts is in reference to a private dwelling.

The story, preserved from tradition in *Lee of Virginia*, is well known of how Thomas Lee lost, by fire, his ancestral house, 'Mt. Pleasant,' in Westmoreland and in place of it built 'Stratford' with the aid of a royal bounty sent him on that occasion. William Parks' *Maryland Gazette*¹⁹ gave at the time an account of the fire but ventured only a discreet hint at the cause. The *Gooch Papers* now available²⁰ materially amend Parks' estimate of the loss and otherwise modify the tradition, but add to the interest of the incident.

In a despatch of March 26, 1729,²¹ Governor Gooch advised the Lords of Trade:

'Nor, my Lords, are these all our Fears: the secret Robberies and other villainous Attempts of a more pernicious Crew of transported Felons, are yet more intollerable: witness the Dwelling House & Out Houses of Mr. Thomas Lee which in the night time were sett on fire by these Villains and in an instant burnt to the ground, a young White Woman burnt in her bed, the Gentleman, his wife and three children²² very providentially getting out at a Window, with nothing but their Shifts & Shirts on their backs, which was all they saved, not two minuits before the House fell in; and this was done by those Rogues because as a Justice of the Peace, upon complaint made to him, he had granted a warrant for apprehending of some of them. They are not yet discovered. In consideration of this Gentleman's misfortune, which he is not well able to bear, and as it arises from the discharge of his duty as a Magistrate, I have been prevailed upon to interceed with your Lordships, that his Case may be recommended to his Majesty, for his royal Bounty of two or three hundred Pounds towards lessening his loss, which was the more considerable by a very good Collection of Books.'²³

The burning of 'Mt. Pleasant' was not an isolated act, for arson had now become epidemic in the Northern Neck. In an act of 1730²⁴ the Assembly recited that it was 'frequently practiced' and the Governor commented²⁵ that the severe penalties of that act were very necessary 'in a country which is so much crowded with convicts, who after they have committed a crime may easily be concealed by their abettors until they find means to escape into another government.' Again,²⁶ he particularized by describing the Northern Neck as 'a part of the Country remote from the Seat of Government where the common people are generally of a more turbulent and unruly Disposition than anywhere else, and are not like to become better by being the Place of all this Dominion where most of the transported Convicts are sold and settled.'

If legislation was necessary in this situation it proved ineffective. 'Abettors' continued to abet and 'transported felons' to burn not merely private dwellings but tobacco inspections and other public buildings as well. Thus, following the burning of 'Mt. Pleasant,' the tobacco warehouses at Coan, in Northumberland; Deer Creek, in Lancaster; and Falmouth, in King

George, were similarly destroyed in March, 1732;⁷⁷ and, in the June following, the parish church of St. Mark, then recently built in Spotsylvania at public cost, was consumed by fire and there was 'good reason to suspect it to have been wilfully and maliciously done:'⁷⁸ the motive was assumed to be no greater than that some of the frontier parishoners found its location inconvenient.⁷⁹ Arson was not the only crime. Several churches were robbed of their plate⁸⁰ and horse stealing was common.⁸¹ That the government was alert appears from the fact that Attorney General John Clayton was at this time recommended for an increase of salary 'as criminal Prosecutions are become of late more frequent . . . occasioned chiefly by transported convicts whose morals are not changed by change of air.'⁸² But the climax came in 1746 with the conflagration of the Capitol at Williamsburg, which the overwrought Governor (who, like Mr. Walter Shandy, must have been reading the medieval forms of excommunication in the *Textus Rofensis*,) addressing the Assembly, was moved to ascribe 'to the horrid Machinations of desperate Villains, instigated by infernal Madness. God forbid I should accuse or excuse unjustly! Yet I may venture to assert such Superlative Wickedness could never get Admittance into the Heart of a Virginian.'⁸³

And still the convicts came. On July 22, 1737, the *Virginia Gazette* announced:

'We hear from Potomac that a Ship is lately arriv'd there from London with Convicts. Capt. Augustine Washington and Capt. Hugh French took their Passage in her. The Former is arrived in Health but the latter dy'd at Sea and tis said of the Goal Distemper which he got on Board.'

Virginia now had recourse, for her own protection, to a diabolically ingenious device. In May, 1740, the Assembly recited⁸⁴ that 'Whereas his Majesty hath been pleased to send instructions to the lieutenant governor of this colony to raise and levy soldiers for carrying on the present war against the Spaniards in America, and this present general assembly being desirous upon all occasions to testify their

loyalty and duty: and taking into their consideration *that there are in every county within this colony able bodied persons fit to serve his majesty who follow no lawful calling or employment;*' wherefore the County Courts were directed to impress that kind of cannon fodder to make up Virginia's quota, carefully excepting, however, 'any person . . . who hath any vote in the election of a burgess or burgesses to serve in the general assembly of this colony or who is or shall be an indented or bought servant.' By the process of elimination this left only ex-convicts available for the press. Such then were many of the Northern Neck soldiers Capt. Lawrence Washington commanded before Carthagera and saw die of the ravaging fevers which then wasted an English army; and so also was old Prince William purged of some of her criminal immigrants.

Barradall's simple but cynical device proved effective beyond its contemplation. Not only did it fill out Virginia's quota of troops in 1740 but it created a precedent of which other colonies took advantage with the hearty co-operation of the Virginia government. Indeed, the available supply of ex-convict soldiers was soon exhausted. Excusing himself in August, 1746, for his failure to recruit a larger quota for William Shirley's provident but unaccomplished '*delenda est Canada*' expedition,* Gooch wrote** to the Duke of Newcastle:

'I sent away the week before last for Albany, by his Majesty's ship *Fowey*, stationed here, one Company which, with the utmost care and endeavor during my Indisposition, are all the Men could be raised in this Government. For three years past here has been a Succession of Recruiting officers from Georgia, Jamaica and South Carolina who carried away all the idle Fellows out of a country settled only by Planters.'

And *still* the convicts came. Every year there graduated from the Northern Neck plantations a new crop of undesirable citizens whose places were taken by new importations. In 1748, passing a strong act against vagrancy,** the Assembly referred to them in the language of Barradall's act of 1740, reciting that 'divers idle and disorderly persons having no visible estates or employment and who are able to work,

frequently stroll from one county to another, neglecting to labour and either failing altogether to list themselves as tithables or by their idle and disorderly life render themselves incapable of paying their levies when listed.'

In such an atmosphere a new revisal of the fundamental laws of the colony brought before the Assembly for reconsideration the 'Act concerning servants and slaves' which had stood on the statute book since 1705.³⁸ This act regulated the mutual duties of master and servant, making one rule for christian servants and another for slaves. There was no convict problem in Virginia when it was passed and, in consequence, the provisions in respect to the 'redemptioner' were little different from the custom contemporaneously enforced in England upon apprentices, stern but not implacable discipline. On the other hand, all masters were required to provide for their servants wholesome diet, clothing and lodging and, under severe penalties, were prohibited from administering 'immoderate correction' and, specifically, from whipping 'any christian white servant naked without an order from a justice of the peace.' Furthermore, when the servant's time expired the master was required to set him up as a potential planter with 'freedom dues' consisting of 'ten bushels of indian corn, thirty shillings in money or the value thereof in goods and one well fixed musket or fuzee of the value of twenty shillings at least.' In dealing with the new problems created by the introduction of convicts after 1718, these provisions had in practice apparently been ignored: at all events when the Assembly of 1748 considered the legislation of 1705 and it was proposed to re-enact it without substantial change, the burgesses from the Northern Neck³⁹ objected. They urged that as one rule had been made for redemptioners and another for slaves when they were the only two kinds of servants, so now a separate and more severe rule should be made for the convict servant; that he had been transported for punishment and to treat him in Virginia as well as the honest redemptioner and, indeed, better than he had ever been treated before, would encourage the government at home to send more convicts, and moreover 'may confirm an Odium

on this Country that we are like those we encourage, and honest Men will not chuse to live in such Company.' The argument on the other side has not been preserved but, being in the middle of the eighteenth century, it certainly was not humanitarian. Doubtless the lowland planter, who then controlled the Assembly, but did not have to live immediately along side the released convicts as did the gentlemen from the Northern Neck, argued comfortably that so long as England insisted on sending convicts out, it was better for the Dominion that after they had completed their terms they should be encouraged and equipped to take post on the ever widening western frontier, where they would serve as bulwarks for the lowlands against the French and indians. Virginia had ample precedent in thus disposing of guests who were either uninvited or uncongenial, e. g., the Huguenots of Manakin Town, the Germans of Germanna and Germantown, and, most recently, the 'Swissers' and the dour Protestant Irish who had been encouraged to swarm into the Shenandoah Valley from Pennsylvania and now, to the undisguised delectation of those tidewater Virginians who had lead an unsuccessful fight against the extension of the Culpeper proprietary, were giving no end of trouble to Lord Fairfax. We can hear some complacent successor to the practical philistinism of Col. Byrd asserting roundly that all these socially unassimilable immigrants had served a purpose useful to the tidewater; let the convicts do as much and let those who had bought and used them on their plantations bear the burden of equipping them for a similar service.

Whatever were their arguments, the 'tuckahoes' controlled the debate.⁴⁰ The Northern Neck was out voted and the new bill⁴¹ even increased the 'freedom dues' to 'three pounds, ten shillings current money.' When this reached the Council the representatives of the Northern Neck in that body, Thomas Lee and William Fairfax, renewed the fight. In turn they also were out voted but they filed a strong dissent⁴² and ultimately were supported by the Governor in a report to the Lords of Trade.⁴³ The consequence was that the new 'Act concerning servants and slaves' was one of the ten included in the Revisal

passed at the session of 1748 to be disallowed by the Crown. On October 31, 1751, the Privy Council held that the provisions of this act

‘whereby convicts transported from this kingdom for Felony are declared to be entitled to the same care and Freedom Dues that are given for Encouragement to Volunteers for service by Indenture . . . in its tendency is contrary to the Design of the laws of this Kingdom relating to Felons,’

and soon after Governor Dinwiddie assumed office he proclaimed that the act of 1748 was void.⁴⁵

Despite the compliment of the Privy Council, commending the Assembly for its diligence in revising its laws as ‘worthy of imitation’ in the other colonies, Virginia vocally resented that particular veto;⁴⁶ but it is interesting to find that the tidewater men made no further effort to promote the immigration of convicts. In 1753 the act ‘concerning servants and slaves’ was introduced anew, duly amended to except convicts from all its ‘humanitarian’ provisions, and on that basis it was passed by the Privy Council and became law.⁴⁷ The Assembly had permanently discarded Edward Barradall’s comic mask, and after Thomas Lee’s death he was avenged upon the convict class for the burning of ‘Mt. Pleasant.’

Thenceforth the successive crops of convicts made a recognisable contribution to the population of northern Virginia. Like weeds, they scattered their seed. Some of that seed settled down near the Potomac plantations, but some was blown far afield by the winds of fate and germinated on the new frontier beyond the Blue Ridge.

Interesting as may be Virginia’s political problems arising out of the convicts, the degrading fact is that whatever the statesmen might resolve, the continued importation of this kind of cheap labor was undoubtedly encouraged by what Beverley had called the ‘greedy planter,’ after he had come to appreciate its contribution to the problem of providing cheap labor. The evidence of this is that the practice of importation survived the

Revolution. Writing at Nomini Hall on February 25, 1774, Philip Fithian said:⁴⁷

'There is a report that the Jail Fever (or Yellow or putrid Fever) is at one Mr. Atwel's on potowmack in this county; that it was brought in a Ship which came lately with Convict servants; that two have already died, one this morning; and that many of Mr. Atwell's slaves are infected.'

Interpreted in the spirit which has actuated most revolutionary American history, this late testimony might be made out to be a convincing count in an indictment of the persistent insolence and tyrannical exercise of power by that 'ministerial party' in England, against which the Virginia patriots were to wage war. But what shall be said of the recitals of the act of November, 1788:⁴⁸

'Whereas it hath been represented to this General Assembly by the United States in Congress that a practice has prevailed for some time past of importing [from places out of the United States] felons-convict into this State, under various pretences, which said felons-convict, so imported, have been sold and dispersed among the people of this State, whereby much injury hath been done to the morals as well as the health of our fellow citizens.'

Thus it appears that long after she was free to stop the importation of convicts, Virginia permitted the practice and, indeed, prohibited it only when the Congress asked that that be done.

NOTES TO CHAPTER TWELVE

¹ The characteristic lack of genealogical links with England, to which Dr. Stanard has called attention in his *Some Emigrants to Virginia*, dates from this time.

² Cf. Beverley, 1722 (London edition), chapter x.

³ *Free Negroes*: While William Fitzhugh owned negroes and worked them in the field, he was typical rather of his neighbours in Westmoreland and even more largely in lower Virginia, than of his own frontier county. This is apparent from the Stafford records which contain only occasional references to slaves but many to white servants. Thus, in 1692, it was stipulated on behalf of an English girl, sold

under indenture to a kinsman, that she should not be put to 'country work' (*Va. Mag.*, ii, 27), which could never have been necessary if there had been a question of companionship with negroes. Again, in 1691, a negro named Benjamin Lewis, 'an ingenious brisk fellow,' represented to the Stafford Court that he had been free in England and was imported into Virginia under indenture to serve four years 'as other servants and Indentures are brought in,' that he was consigned to Christopher Robinson, who sold him to 'one Paget of Rapp' who in turn sold him to William Harris of Stafford, who now claimed him as a slave and refused to recognise his indenture, alleging it to be forged. The indenture was thereupon submitted to a jury who found it to be good, and, as it had expired, the Court ordered 'the said Benjamin his freedom,' requiring him, as all successful litigants were required, to pay the jury seventy-two pounds of tobacco. This interesting case reveals none of that degrading fear of a numerous slave population which actuated court proceedings elsewhere in the colony then and later. In this connection it may be noted that until 1723 free negroes voted in Virginia (Hening, iv, 133, and see the discussion in Russell, *The Free Negro in Virginia*, Johns Hopkins University Studies, 1913).

⁴ *Journals H. B.*, 1695-1702, p. 175.

⁵ Perry, *Virginia Church Papers*, 313. With Parson Scott's report on Stafford in 1724 it is interesting to compare Governor Nicholson's comment a quarter century earlier (*Cal. Am. & W. L.*, 1700, p. 499; 1701, p. 634): 'There is another county on our side of Potomack River which is Stafford . . . and is the upper part and lies upon the river for nigh 80 miles . . . about 60 miles of the upper part of it lies away from Virginia, tho it has no inhabited frontiers.'

⁶ See the propositions against the convicts from Westmoreland in 1730 and 1732 in *Journals H. B.*, 1727-40, pp. 69, 123. As late as 1753 the Assembly had before it a proposition from Fairfax to require masters of convict servants to give bond for their good behavior. *ibid.*, 1752-58, pp. 49, 53.

⁷ 4 Geo. I, c. 11. (Ruffhead, *Statutes at Large*, v, 174.) In a curious and provocative study of this statute (*Am. Hist. Rev.*, ii, 12) Dr. J. D. Butler collected, out of the *Historical Register*, the statistic that in the ten years after its passage 2138 persons were transported, of whom, Dr. Butler assumed, the majority were sold in Virginia and Maryland. The best of the general historians on the subject is the latest, Professor Edward Channing (*History of the United States*, ii, (1910), ch. xiii.) but there are judicious observations on these unfortunates in Scharf, *History of Maryland*, i, 371.

⁸ *England Overseas*: See *The Elizabethans and the Empire*, 1922. There is a curious echo of this tradition in the report (*The Times* weekly edition, April 21, 1922) of a recent speech by a British minister before the Canadian Club in London:

'The Home Secretary said he believed there were many people who thought we desired not to emigrate our good men but our 'rotters' (Cries of 'No!'). Nothing could be more untrue, the last thing any thinking Britisher wanted was to send our rotters to the overseas Dominions. We wanted the very best of our people to go overseas to populate the unpopulated areas and make the oversea Dominions an even stronger and better part of our great Empire.'

This modern statesman was, however, merely echoing the famous statement as to the purposes of the Virginia Company, made by the earl of Southampton in 1620, (*Stope, Southampton*, 1922, p.

442), viz: 'the Company who have gained so hopeful a country, which they have bought and compounded for with the natives, and which when once well peopled by English Colonies will find full employment for all needy people in this land, who now begin to swarm in this blessed time of peace under his Majesties happy reign: will provide estates likewise for all the younger brothers, gentlemen of this Kingdom, and also a ready and lasting supply to this Nation of those commodities which in our present condition we are fain to fetch from foreign nations, from doubtful friends, yea from heathen princes.'

⁹ Hening, ii, 509.

¹⁰ Conway Robinson's note of the *Council Journal*, October 21, 1670 in *Va. Mag.*, viii, 408; *Cal. Am. & W. I.*, 1669-74, No. 590.

¹¹ *History and Present State*, 1705, iv, 52.

¹² *Writings of Benjamin Franklin*, ed. Smyth, v, 86. He had previously (*ibid.*, iii, 45) retorted, whimsically, to the English argument that the convicts would change their Natures with change of climate, by proposing that the colonies should export rattlesnakes to England in the same expectation.

¹³ C. O., 5: 1387; the title only is in Hening, iv, 106.

¹⁴ *Present State*, 1724 (Sabin's reprint), pp. 53, 122. There is no mention of the Hampshire 'design' in the formal entries relating to the act of 1722 in the *Journals H. B.*

¹⁵ *Acts P. C.*, Colonial, iii, 54.

¹⁶ *Jonathan Forward*: Hugh Jones speaks of 'the Methods now practised by . . . Mr. Forward and some Merchants for sending over continually all sorts of Servants . . . loose Villains made tame by Wild and then enslaved by his Forward Namesake.' From the British Treasury papers it appears that one Jonathan Forward, a merchant of London, 'had a monopoly of this business for many years.' (Andrews' *Guide to P. R. O. Materials*, ii, 230.). In *A Progress to the Mines* Col. Byrd confirms this by his reference on the Rappahannock to 'Jonathan Forward who has great interests here.' Dr. Palmer, who had an unfortunate habit of perverting the names he read in MS., prints 'Jonathan Howard' in the certificate of exportation of convicts in 1724, given in *Cal. Va. State Papers*, i, 204. Jones' other playful reference is, of course, to the notorious Jonathan Wild, who, until he was hanged in 1725, employed himself diligently in securing the transportation of those London thieves who refused to do business through his 'fence.'

Forward was succeeded in his unpleasant contract by a 'Mr. Reide' who was exercising that function in September, 1741, when he reported (Historical MSS. Commission Fourteenth Report, App. ix, p. 77) that 29 convicts consigned 'on the Sally for Potowmack in Virginia' had risen on the crew, taken the ship into the Texel and escaped.

¹⁷ The offense of eight prisoners who were consigned for transportation to Virginia by the magistrates of Glasgow in 1715, was entered, 'for being habite and repete gipsies.' *Extracts from the Records of the Burgh of Glasgow, 1691-1717* (1908), p. 525.

¹⁸ The act is not in Hening, but see *Journals H. B.*, 1712-1726, p. 116; *Spotswood Letters*; ii, 96; and a report by the Sheriff of Essex, April 15, 1715, of the burning of 'one of Mr. Buckner's storehouses with some Tobo. and his scales in it.' *Cal. Va. State Papers*, i, 181.

¹⁹ In 1895 Miss Kate Mason Rowland communicated to the *William & Mary Quarterly* (iii, 265) the following extract from the

Maryland Gazette: February 4, 1728/9: 'Last Wednesday night Col. Thomas Lee's fine house in Virginia was burnt, his office, barns and outhouses, his plate, cash (to the sum of £10,000), papers and everything entirely lost. His lady and child were forced to be thrown out of a window and he himself hardly escaped the flames, being much scorched. A white girl about twelve years of age (a servant) perished in the fire. It is said Col. Lee's loss is not less than £50,000. The fine large house of Col. Carter on Rappahannock [i. e., Corotoman] was also burnt lately.' A later notice added that certain of Col. Lee's plate had been stolen from his house 'sometime before it was burnt,' and remarked significantly, that 'the Governor of Virginia has published a Reward of 50 Pounds and a Pardon to any one of the Accomplices who will discover the rest (except the Person who set fire to the House).'

²⁰ British Transcripts in the Library of Congress.

²¹ C. O. 5: 1321, p. 221.

²² The three children evidently were Richard, b. 17, June, 1723; Philip Ludwell, b. 24, February, 1727; and Hannah, b. 6, February, 1728 (*Lee of Virginia*, p. 125). The next child, John, was b. 28, March, 1729, 'and died the same day.' As this was only a few days after the date of Governor Gooch's despatch, it may be assumed that the experience of Mrs. Lee in the fire was the occasion of the loss of her fourth child.

²³ This recommendation was duly certified to the Treasury and, a year later, produced a warrant in Thomas Lee's favor for £300 (*Cal. Treasury Books and Papers*, 1729-30, pp. 80, 85, 93. See also Gooch's despatches in C. O., 5: 1366, p. 33; 1322, p. 277). 'Mt. Pleasant' was not, however, his property. It had been the seat of his father, the second Richard Lee, who had collected there the library, rich in curious books of ancient medicine, to which Governor Gooch refers (See the catalogue in *W. & M. Quar.*, ii, 247), and on his death passed to the eldest son, the third Richard Lee, who removed his residence to London. It was thus that Thomas Lee occupied the house in 1729 as tenant of his nephew George, eldest son of the third Richard (See the wills in *Lee of Virginia*).

²⁴ Hening, iv, 271.

²⁵ C. O. 5: 1322, p. 103.

²⁶ C. O. 5: 1323, p. 127.

²⁷ C. O. 5: 1323, pp. 101-110.

²⁸ *Journals H. B.*, 1727-49, p. 151. Dr. Philip Slaughter (*History of St. Marks Parish*, 1877) had no record of this fire.

²⁹ 'There is reason to suspect a sett of People who had projected to have another instead, in their Neighbourhood.' C. O. 5: 1323, p. 89.

³⁰ *Journals H. B.*, 1742-49, pp. 303, 305.

³¹ *Ibid.*, p. 274.

³² C. O. 5: 1323, p. 89.

³³ *The Capitol Fire*: See *Journals H. B.*, 1742-49, p. 235. The convicts had evidently got on Gooch's nerves. If his brother, the Bishop of Ely, had been called upon to curse them with bell, book and candle, he could not have done better than this. But it never appeared that the Capitol fire was incendiary. Virginia's earliest records, what Gooch called 'the authentic Registers of every Man's Property,' were then saved only to be consumed in another such fire, more than

a century later, at the most tragic moment in the history of the Commonwealth.

⁴⁴ Hening, v, 94. The author of this *opera bouffe* bill was Edward Barradall, then Attorney General of Virginia, and sitting as Burgess for William and Mary College.

There is an earlier evidence of his subtlety as a draftsman in the act of 1736 (Hening, iv, 514) relating to the Northern Neck proprietary. The job he then did for his client, Lord Fairfax, was not only immediately effective but kept the Virginia courts busy for a century.

⁴⁵ *Capt. Beverley Robinson's Virginia Company at Albany*: The Assembly's authority for Virginia's contribution is in Hening, v, 401. With characteristic art Parkman (*A Half Century of Conflict*, chap. xxi) has painted the picture of Shirley's disappointment in 1746. He then had an opportunity to capture Quebec and Montreal and thus complete the work begun by the Massachusetts troops at Louisbourg, but the government at home failed to send the support they had promised, and so Shirley had to wait to see others realize his dream. In 1746 Gooch had been assigned to command on this service a detachment of troops requisitioned from all the English colonies in America, but begged off on account of physical infirmity. The single Virginia company which went spent eighteen months in camp at Albany and then came home having had some illuminating experience of a larger world but no sight of the enemy.

⁴⁶ C. O. 5: 1338, No. 4.

⁴⁷ Hening, vi, 29.

⁴⁸ Hening, iii, 447.

⁴⁹ At this session of 1748-49, the Northern Neck Burgesses were, For Fairfax: Lawrence Washington and Richard Osborne, Frederick: George William Fairfax and Gabriel Jones, King George: Charles Carter and Henry Turner, Lancaster: Joseph Chinn and Peter Conway, Northumberland: Presley Thornton and Spencer Ball, Prince William: Thomas Harrison and Joseph Blackwell, Richmond: Wm. Fauntleroy and John Woodbridge, Stafford: Wm. Fitzhugh and Peter Hedgman, Westmoreland: John Bushrod and George Lee. Culpeper, created at this session, was not yet represented.

⁵⁰ *The Northern Neck v. the Tidewater*: The lowland planters continued to control the Assembly on most similar occasions until after the Virginia constitutional convention of 1829. One of the Northern Neck burgesses, who was having his first experience of a legislature in this Assembly of 1748, then learned the secret of Virginia politics—sectionalism. In 1761 George William Fairfax wrote (*The Fairfaxes of England and America*, ed. Neill, 1868,) p. 128: 'I have long observed that the lower members disregard and look upon the Northern Neck as a separate interest, tho' under the same laws.' Those who faced the problems of the 'back country' at that time generally resented the 'tuckahoes.' In 1759 old Lord Fairfax had written (*ibid.*, p. 111) testily of the selfish influence of 'James River' in the Assembly, while in 1756 James Maury, the parson of Frederickville parish, animadverted (*Memoirs of a Huguenot Family*, Putnam's reprint, p. 394) upon the 'gentlemen living in the lower parts of the country . . . none of them knowing anything of the back country.' Thompson Mason had the prejudice so deeply implanted in him that

in his will (1785, Rowland, ii, 77) he 'positively directed that neither of my younger sons shall reside on the South side of James River or below Williamsburg before they respectively attain the age of twenty one, lest they should imbibe more exalted notions of their own importance than I could wish any child of mine to possess.'

Governor Fauquier, in his despatch of June 2, 1760 (*Journals H. B.*, 1758-61, Appendix, p. 284) affords us an illuminating glimpse of the operation of the principle of sectionalism on one of the few occasions in which the Northern Neck prevailed. Discussing the act for the reduction of the duty on slaves (Hening, vii, 363) he said, 'the contest . . . is between the old Settlers who have bred great quantity of Slaves and would make a Monopoly of them by a duty which they hoped would amount to a prohibition, and the rising Generation who want Slaves and don't care to pay the Monopolists for them, at the price they have lately bore, which was exceedingly high. These reasons, your Lord^{sh} may guess, are not urged in the arguments on either side; but I believe are the true foundation of the Squabble.'

^a Hening, v, 550.

^a *Legislative Journals of the Council*, ii, 1034.

^a Gooch made this report in person after his return to England in June, 1749. C. O. 5: 1327, p. 143.

^a *Acts P. C.*, Colonial iv, 140; Hening, v, 568. This veto came too late to prevent the printing of the disallowed acts in the Revisal of 1752, and so preserved them for Hening and for us.

^a *Legislative Journals of the Council*, ii, 1082. This memorial of protest to the Crown is printed also in Hening, v, 432.

^a Hening, vi, 356. The Northern Neck burgesses made no objection to this act. In the Council, William Fairfax voted for it.

^a *Diary*, p. III.

^a *Code*, 1819, i, 68.

PART THREE

The Seating of the Piedmont

CHAPTER THIRTEEN

Brent Town, Ravensworth and the Huguenots

IN 1685, when the Edict of Nantes was revoked, Nicholas Hayward, son of a long established Virginia merchant in London, and himself a practising notary public¹ on 'the Virginia walk in the Exchange,' was a worthy representative of the great traditions of the Elizabethan adventurers who had planted the American colonies. With a large vision of the future, he made investments and assumed risks in the new world all the way from Virginia to the Hudson Bay. The fact that he was a brother of that Samuel Hayward, Clerk of Stafford, who was William Fitzhugh's 'entirely beloved and good friend,' brought him into intimate correspondence with Fitzhugh, with the consequence that, although Nicholas Hayward does not once speak for himself in the surviving record, the reader of Fitzhugh's letters must arise with a sense of having made the acquaintance, in him, of a man of sound business, enlightened views, and a pleasant sense of humour.²

At the time of the arrival of the first Huguenot refugees in England, this Nicholas Hayward had recently picked up, at a bargain, a plantation on the Potomac adjoining William Fitzhugh's home place, 'Bedford.' Casting about how profitably to turn over his investment, he resisted Fitzhugh's offer to take the land off his hands, and worked out a plan to colonize it with some of the Huguenot refugees. Fitzhugh's imagination was at once captured by the suggestion. He acutely appreciated the opportunity, but, sensibly enough, pointed out that under the extensive habits of Virginia life, which the immigrants would be sure soon to adopt, Hayward's plantation was not large enough for his purpose. He therefore suggested, as an alternative, to send the Huguenots to the great tract (later known as Ravensworth), which Fitzhugh had himself recently entered, on the upper waters of Accotink. Hay-

ward recognised the force of the criticism, but he did not fall in with the alternative suggestion. He wanted to establish in Virginia a 'canton' of his own, a new 'hundred' such as 'particular adventurers' had once upon a time set up on James River in the days of the Virginia Company. Hayward knew that he could secure all the land he wanted because it had now been some years since Lord Culpeper had bought out the other proprietors of the Northern Neck,³ only to find the estate hanging heavy on his hands. Everybody in London knew that the noble lord was in financial straits. To him Hayward accordingly made the welcome proposal to purchase for cash a tract of 30,000 acres in the Stafford backwoods. The negotiations did not take long, and Hayward proceeded to make up a syndicate to exploit his purchase. He first took into partnership two Virginia merchants, both of whom had been resident in the colony. These were his own brother-in-law, Richard Foote, then carrying on the business of the first Nicholas Hayward, and Robert Bristow, a picturesque survivor of Bacon's Rebellion.⁴ Agreeing that it was desirable to have also a resident partner in Virginia, George Brent of 'Woodstock,' surveyor and lawyer, and then the head of the Brent family in Stafford, was selected for this relation.

To these four, as tenants in common, Culpeper executed and delivered a grant, dated January 10, 1686/7,⁵ of

'All that tract, Territory or parcel of Land Containing by estimation thirty thousand Acres be the same more or less, Scituate, lying and being in or near the said County of Stafford in Virginia aforesaid, Between the Courses of the said Two Rivers, Rappahannock and Potowmack, backwards at least six miles Distant from the said Main River and from any Land already seated and inhabited, and upon and Between the Southwest and Northeast Branches of Ocaquan Creek⁶ and from thence towards the Mountains.'

Upon this foundation Hayward next applied to James II for a royal assurance of religious toleration for his proposed Huguenot emigrants, an assurance which was a necessity in the troublous politics of that year. The petition recited the Culpeper grant and that the grantees

'have projected, and do speedly designe to build, a Towne with Convenient fortifications, and doo therefore pray that for the encouragement of Inhabitants to settle in the said Towne and plantation . . . to grant them the free exercise of their Religion.'

Whereupon, under date of February 10, 1686/7, the King issued, as one of his famous dispensations, a warrant⁹ directed to Lord Howard of Effingham, Governor of Virginia, providing that

'wee do accordingly give and grant unto the Pet'rs and to all and every the Inhabitants which now are or hereafter shall be settled in the said Towne and Tract of Land belonging to them as is above mentioned, the full exercise of their Religion without being prosecuted or molested upon any penall laws or other account for the same.'

The town so to be established was forthwith dubbed Brenton, but this was corrupted by local usage into Brent Town, and that came to be the designation of the whole tract.⁹

Prior to the date of the grant, George Brent had begun the development of the property.⁹ A year later he still had people on the ground, for in his letter of June 1, 1688, Fitzhugh said to Hayward that he was sending to England 'a skin which is esteemed a Lion's with us here, killed upon your Town tract.' The pioneers opened thither that 'Brent Town road' which appears in the later land grants, extending from the Potomac Path up the Long (or Beaverdam) branch of Aquia and across the divide above the head spring of Dorrell's Run to the lower side of Town (alias Brent Town) Run, and there laid out the town site.¹⁰ The general plan of the proposed community was that of the ancient race inheritance which had been revived for the original settlement on James River but had now been long abandoned in Virginia practice; for security the Brenton colonists were to live together in the town, but to each town lot of one acre was to be appurtenant a farm of one hundred acres in the 'country.'¹¹

Meanwhile, Hayward was active in London circulating colonization literature through the coffee houses of Soho and

St. Giles and the weavers' shops of Spitalfields, where the refugees foregathered.¹⁹ A copy of his broadside has been preserved by the author of that entertaining little book, *Voyages d'un Francois*, printed at The Hague in 1687. He says it came into his hands after his return to London from Virginia in the spring of 1687. What follows is a translation of Hayward's original French:

'Propositions for Virginia.

'The proprietors of the land situated near [i. e., *proche*, with which locution compare the language of the Brenton grant quoted above] the county of Stafford in Virginia, on the 39th degree, between the southwest and northwest branches of the river called Occoquan Creek, and of the town that they have begun to build, called Brenton, make the following propositions for the encouragement of persons who plan to emigrate into that country and there make a permanent establishment, that is to say,

'to the first to present themselves they will sell, for the sum of ten pounds sterling cash, at four *écus* to the pound sterling, 100 acres of land near enough to the town to build a house upon it. Under this offer the purchasers, and their heirs, will become proprietors of the said land in perpetuity, subject only to a quit rent of four shillings sterling per annum [i. e., double the proprietary quit rent].

'Such persons may be assured that the said land is healthy, good and fertile, producing all sorts of grains grown in Europe, such as wheat, rye, oats, etc.; vines and all sorts of fruit, and that the water is excellent.

'At the price above mentioned, the proprietors will give the preference of choice of the situations of farm [*mesterie*] and house in the order of application, but only on condition that the purchasers shall emigrate to become residents. It is the expectation of the proprietors in the future to make another and a higher price for the general sale of said lands.

'For the further encouragement of such families as shall first present themselves, who cannot or do not wish to pay cash, and who desire to be assisted by these proprietors, they offer to lease to such persons 100 acres of land for a farm and one acre in the said town for a

house, and to furnish to each family nails and other hardware in sufficient quantity to build a house in size 26 to 28 feet long and 14 to 16 feet wide, and 15 bushels of indian corn for their subsistence the first year, all at an annual rent of 4 *écus* (or one pound) sterling.

'If any shall find 100 acres too much or not enough, what they want may be leased on a basis in proportion to that stated above, but upon the same conditions.

'London, May 30, 1687.

One behalf of the Proprietors,

Nic. Hayward.'

Hayward was, however, only one of a number who were contemporaneously competing for these desirable colonists, and his modest efforts lacked the authority and the organization of those of the proprietary colonies. Even before the Revocation, the French seaport towns had been flooded with Carolina broadsides so that the refugees reached London 'having nothing but Carolina in their minds,' dreaming of it as a land of fruit and flowers. In London they were met by alluring offers from William Penn to seat his 'lower Counties' on the Delaware, and the agents of Carolina renewed their promises and their highly coloured pictures. Even Massachusetts took a hand. The Virginia government itself as yet did nothing, but Hayward had volunteer supporters among the masters of the ships engaged in the Virginia trade. In the *Voyages d'un Francois* the author tells of a conversation with one of them to whom he confided that he planned to establish himself in Carolina, explaining,

'that he had in his hands printed broadsides which made it out to be the most agreeable and the most fertile part of America, and that many people in London had assured him that this was true. The Captain replied that he had been to Carolina two years previously, carrying thirty emigrants from Plymouth, and had left them all in vigorous health, but when he returned eleven months later he found only two alive: that there was not an acre of good land in all South Carolina. One of the sailors here spoke up, saying that when he was there last year in July, half of the population of Charles Town had left or was dead.'

This propaganda may have been effective in individual cases, but it was insufficient to accomplish Hayward's larger purpose. In the end he failed. The company on which he particularly counted, embarked for Carolina.¹⁵ Brenton, *qua* town, forthwith disappeared as in a mirage.

And so it was that after the revolution of 1688 the Stafford 'canton' was still unseated. George Brent, himself a Catholic, then brought forward a curious proposal which illustrates the topsyturvy state of the contemporary world:

'What encouragement,' says Fitzhugh to Hayward on April 1, 1689,¹⁶ 'my poor Endeavors or Interest can give to your pleasing Establishment at Brenton, and a sudden commotion we have had (under the pretended expectation of Indians, of which Capt. Brent has given you a full, just and clear relation)¹⁶ gives me the present opportunity not only to assure the people but also to satisfy the Government that were full encouragement given and Immunity granted to that Town, which might be conducive to draw Inhabitants thither, the country would be indifferent secure from future alarms; and it would be a sure Bulwark against reall dangers, because either by them or within them must be the Indian Road. A good company of men there settled would be immediately called either to keep off the Enemy at his first approach or cut him short in his Return. This sudden turn of times in England may perhaps at present give a check to the Increment of Brenton from your French expectation, but I believe may be additionally suply'd by those methods, (Capt. Brent intimates though not plainly expresses), by being a Refuge and Sanctuary for Roman Catholics, And I dare say, let it be increased by whom it will, our government will give it all the Indulgences that can be reasonably required by reason of its convenient Scituation for a Watch and Defence agst. Indian Depredations and Excursions; neither do I believe that perswasion will be hindered from settling anywhere in this country, especially there where, being Christians, they may secure us against the Heathen.'¹⁶

If ever this Catholic plan was seriously considered, it failed like the earlier Huguenot plan. 'In July, 1690,¹⁷ trying to enlist Hayward's interest in a scheme of his own to import Huguenots, Fitzhugh recognised that he could not expect more

than casual mention of his lands in Hayward's 'larger discourse' on the Exchange, 'considering your Brenton design wants people . . . which I esteem deserves and requires your continued care and diligence in its supply, with Inhabitants; for Capt. Brent's utmost endeavours will but make a thin supply here.' Again, in May, 1691,¹⁸ he says: 'I truly condole your unsuccessful, though chargeable and vigorous, proceedings about Brenton. The unsteadiness of the times since the first undertaking has been a great hindrance thereto. When or Whether they will end, for your advantageous prospect and Interest in this concern, I believe is uncertain. . . . I am glad your Hudson Bay Interest makes you some compensation.'

Whatever was the original character or extent of the outpost established on Town Run, its lamp was somehow kept alight during the years to come by reason of the constant anxiety about the movements of the Iroquois. The blockhouse there was a first rate point of observation upon those far wandering warriors. Fitzhugh had pointed out that Brenton was near the 'Indian Road,' thereby referring to the Iroquois Path, leading south through the mountain 'thoroughfares' to the falls of the Rappahannock, which is designated, in the early land grants of the Brenton neighbourhood, the 'Shenandoah Hunting Path.' It was for this purpose that the Rangers camped on the town site as we have seen them doing in 1692,¹⁹ and that the Council ordered them in 1694²⁰ to give 'particular care to guard Brent Town.' But until the settlements, advancing inland from the Rappahannock and up the valley of Occoquan, reached and included it, Brent Town remained a mere name in the backwoods. It then reappears for a moment only because the boundaries of the Hayward grant had never been definitely marked, and the uncertainty hindered others from seating the adjacent lands. A record made in the Assembly in 1720 included the proprietors of Brent Town with those of several other great tracts of backwoods lands in a charge of a deliberate attempt to entrap the unwary frontiersman.

'Mr. Clayton reports from the Committee of Propositions and Grievances,' says the *Assembly Journal*,^a 'that they had had under their consideration the Petition from Stafford County to them refer'd and had agreed upon a Report

'On consideration of the Petition from Stafford County complaining of Grants of large tracts of land in the said County, the bounds whereof cannot be known by reason of the Grantees have not surveyed the same, and are unwilling so to do, in expectation other persons will ignorantly enter on and save the lands, and praying relief therein:

'The Committee being informed that the Tract called Brent Town, the Tract now belonging to Mr. Henry ffitzhugh and Henry ffitzhugh the younger, and the tract belonging to Edward Jeffreys, Esqr., are the said Tracts mentioned in the said petition."^a

'Resolved That the several proprietors of the said Tracts shall survey or cause to be surveyed the said several Tracts of land within three years next coming or on failure thereof That any other person shall be at Liberty to enter for and hold the Same.'

So far as concerned Brent Town, nothing was done in pursuance of this resolution. When Robert Carter resumed the Northern Neck agency in 1723, he encountered a clamorous demand for grants above the head spring of Deep Run on the branches of Dorrell's and Town Runs, but he could find no record of how far north he could safely go in this direction, without encroaching on Brent Town. On July 4, 1723,^a he wrote to Col. Cage, the trustee named in Lady Fairfax's will:

'I shall find a great deal of difficulty in the laying off the Brenton Grant. I have given some public notice about it. Young Brent and his Mother declare if I offer to stretch a chain there, they will Stop me. I must try Whether they will be so good as their Words. If they do, I shall go near to call them before their betters.'

Notwithstanding these thunders, it appears that a year later 'young Brent and his Mother' were still holding their ground, for when Col. Carter began by his grants to hem in the Brent Town tract on the west and north, as well as on the south, his surveyors were unable to specify precise bound-

aries for Brent Town, and so left scraps of unappropriated territory between the Carter grants and the Brent Town lines to be taken up when those boundaries should be ascertained.²⁴

In this situation, Brent Town lay in the dead hand. The four interests descended undivided among the heirs of the original proprietors and for three generations the land remained unseated. By his will George Brent of Woodstock had directed that his dividend, when declared, be erected into a manor to be held in tail male, and as such his claim passed in succession through all his four sons and so came to another George Brent, the son of his youngest son, who was the 'young Brent' of Col. Carter's letter of 1723.²⁵ Contemporaneously, the interest of the first Richard Foote vested in two grandsons, both Virginians, born in Chotank.²⁶ The Hayward and Bristow shares meanwhile remained in England, anonymous so far as concerned the Virginia records. At last 'in the years 1737 and 1738' the tract was surveyed. So delimited, the greater part of it was found to lie, as contemplated by the grant of 1686, in the fork between Broad and Cedar runs, extending west to a 'back line,' which ran from the mouth of the Walnut Branch of Cedar to the vicinity of the ford (since known as 'Linton's'), by which the north fork of the Dumfries road crossed Broad Run; but there was still included the town site of 1687 with a considerable area below Cedar reaching south between the mouths of Champ's and Dorrill's runs.²⁷

The evidence of the surviving records of Brent Town is meagre enough, but it may fairly be deduced from what is available that a comprehensive occupation of the property did not take place until after this survey. The impetus to seat it had waited until a partition in severalty had been accomplished by mutual releases of the proprietors, which was the purpose for which the long delayed survey had finally been made.²⁸ In that partition the Bristows took a northern parcel, lying on Broad Run and in the fork between it and Cedar, including the future sites of Broad Run Church, the town of Brentsville and Bristow station; the Brents took their dividend ad-

joining the Bristows and on Slaty Run; the Haywards took theirs on the south fork of the Dumfries road; while the Footes took the southernmost parcel, being the lands on both sides of Cedar above the mouth of Dorrill's. The Hayward heirs, having no longer any other interest in Virginia, now at once sold and distributed their lands,²⁹ but the other three shares still remained entailed in the original proprietary families.

Beginning in 1741, the Prince William deed books show what the survivors did with their inheritance. The Brent and Bristow tracts were subdivided into units of 200 acre plantations, which were uniformly leased for three lives at an annual rental of 530 pounds of tobacco.³⁰ The interesting settlement of the property was, however, that of the Foote lands, for here the proprietors established their own residences, and, bringing with them from Chotank, Fitzhughs, Alexanders, Stuarts and others, soon transplanted to the original town site a community which had all the characteristics of the tide-water civilization. In one of his charming sketches of antebellum Virginia, testifying that he was born in this community, Mr. George Fitzhugh, of Caroline, described it:

'Brent Town,' he says,³¹ 'was a sort of colony of Chotank. When we lived there all the people were Chotankers by descent. Like their Chotank ancestors, their hearts were bigger than their purses. They generally broke and moved South and West to mend their fortunes. Being men of energy and education, they generally succeeded and are now [1860] doing better than either their Brent Town or their more remote Chotank ancestors ever did.'

Before this community lost its local flavor in the economic crisis which, at the beginning of the nineteenth century, depleted all eastern Virginia, it had naturalized in the piedmont those 'fine old distinctive traditions' which have persisted at Warrenton;³² but what Mr. Fitzhugh says of the eventual disappearance of the Chotankers from Brent Town unfortunately remains true. Not only have they themselves never returned, but today not even a memory of them is extant among those who have succeeded to the lands on which once they tended

tobacco and spent their substance in agreeable, if lavish, hospitality. Except by the antiquarian, these Chotankers are locally as forgotten as the Manahoac indians who preceded them on Cedar Run.

The ultimate history of the other proprietary dividends of the Brent Town tract is not socially as interesting as that of the Footes, but in one case it was poignant. The Brent lands were held together until after the Revolution, when they passed from the descendants of George Brent of Woodstock to those of his uncle, Giles Brent of 'Peace.' Being no longer bound by entail, they then experienced piecemeal alienation. The 'Bristow tract,' however, was subjected to a *peine forte et dur* because at the time of the Revolution it was vested in a non-resident Englishman, who was a target for revolutionary passions. As the first Robert Bristow lost his property in Virginia by reason of his loyalty to established government, so did his descendant of the same name a century later. The Robert Bristow of 1779 was adjudged an alien enemy by the Virginia courts and his Virginia estate was escheated to the Commonwealth. Thereafter for some years the land was wastefully administered by agents appointed to represent the Commonwealth. When the Literary Fund was created, the title vested in it, and by that Fund 'the Bristow tract' was finally divided and sold in 1834.³³ Thenceforth the world forgot Bristow until, in the course of the second battle of Manassas, Stonewall Jackson made it an ever memorable place name.

Though he did not record a grant until 1694, William Fitzhugh had, in 1686, already 'entered for' the property subsequently known as Ravensworth.³⁴ It then consisted of 21,996 acres of land in the Stafford backwoods on the head branches of Accotink and Hunting Creek, and so, generally speaking, lay back of both the Howsing (or Alexander) patent where Alexandria was to arise and the Cadwallader Jones (or Jeffreys) tract as well. When, as we have seen, Fitzhugh offered these lands for Huguenot colonization, he outlined his

terms in a statement which supplements Hayward's prospectus in its testimony as to contemporary values and tenures of back-woods lands.

'For the french Protestants,' he says in May, 1686,³³ 'I have convenient and good Land enough to seat 150 or 200 fam'lys upon one Dividend wch contains 21,996 acres, which I will either sell them in fee at £7 sterling for every hundred acres, or else lease it to them for three lives paying 20 shillings p. annum for every hundred acres, and they may have the liberty of renewing one two or three lives at any time, paying for each life to be renewed one year's Rent, without demanding any fine or other consideration for their first purchase;³⁴ and will engage to find them with bread and meat for the first year, meat at 2s 6d p. hundred and corn at 2s 6d p. bushel, for as many soever as comes in if it be three or four hundred people, and all other necessarys for their money at the Country market price. The Land I offer to Sell or lease is scituate in this county, lyes within a mile and half of Potomack River, and of two bold navigable creeks,³⁵ is principal good land and is more proper for frenchmen, because more naturally inclined to vines, than yours³⁶ or any about our neighbourhood; and will engage to naturalize every Soul of them at £3 p. head without any more or other matter of charge or trouble to them, whereby the heirs will be capacitated to inherit the father's purchase.'³⁷

When he wrote this, Fitzhugh had already settled some tenants on his Accotink dividend. In April, 1686,³⁸ he excuses delay in shipping some tobacco by the fact that 'my Plantation its made upon is so far above me and consequently out of my Kenn that they have not got it ready,' but in July, 1690, he was still seeking tenants.³⁹

While Fitzhugh himself says nothing more about French colonists, meagre as it is, there is evidence that at some time before his death in 1701, and also before the Huguenot colony was established at Manakintown, he had succeeded in seating some French people temporarily on his Accotink lands. It has been shown⁴⁰ that every year from 1686 to 1700 small parties of Huguenots went over from London to Virginia (as to other colonies in America) with the aid of King William III's Royal Bounty. Fitzhugh apparently succeeded in attracting some of

these people to his lands. We know certainly that in 1690 he had 'come accidentally upon a French minister, a sober, learned and discreet Gentleman,' and employed him as tutor for his sons.⁴² Again there is the tradition in the Venable family⁴³ that, before 1700, their ancestor, Abraham Micheaux, 'landed in Stafford County on the banks of the Potomac' and lived there 'one or two years' before he removed his wife and children to Manakintown. To these scraps finally may be added a definite, if tantalizing, testimony by the second George Mason. In a letter to Governor Nicholson, dated October 28, 1701,⁴⁴ he began by protesting, 'Wee have no news in these parts,' and then proceeded to rehearse two pieces of news for which, as it happens, no other such first hand evidence is now extant, 'only that the ffrench Refugees is most of them gone to Maryland and have left an ill distemper behind them, the bloody flux, which has effected Some of our neighbours . . . The ffrench Refugees great friend Coll. Fitzhugh dyed tuesday the 21 at night.'

By his will⁴⁵ Fitzhugh divided the Accotink dividend equally between his two eldest sons, William of 'Eagles Nest,' and Henry of 'Bedford.' It was the latter who was the 'Mr. Henry ffitzhugh' of the Assembly resolution of 1720 which has been cited. The 'Henry ffitzhugh the Younger,' of the same document was the son and heir of William of 'Eagles Nest,' whose descendants⁴⁶ eventually established their residence at Ravensworth and cultivated the Fairfax County fields in which there was once seated one of the very earliest Huguenot communities in Virginia.

Some years after Fitzhugh's death there was another immigration of Huguenots to old Prince William, but there is no evidence to connect it either with Brent Town or Ravensworth. On the contrary, some of it was an overflow from Manakintown. In 1706 and 1709 one who is listed in the land books as 'Marquess Calmeby' had proprietary grants on the upper waters of Aquia;⁴⁷ and in 1711 and 1712, as part of the move-

ment of population up the Occoquan which we are about to rehearse, there appear in the same books other perversions of French names, viz: Clermont Chevalle, Lewis Reno, Lewis Tacquett, Samuel Duchiminia, Rynhart de la Fayette, Peter Lehen and Philemon Waters.⁴⁰ All these had small grants side by side on the lower or eastern side of Cedar Run in the vicinity of Brent Town and within the present limits of Prince William. If there was any evidence that there had ever been any actual Huguenot settlement in Brent Town one might fairly assume that these people were an overflow from such a settlement, but they seem more likely to have first come to Stafford shortly before they had their grants. The Council *Journal* for October 24, 1700, supplies the clew in the authority there given to the second supply of Huguenots, which had then recently reached Virginia, 'to disperse themselves through the country 'till next fall.'⁴⁰

It seems likely that the later immigrants to Stafford were some of the sheep to stray from this second supply. At all events, they not only left their seed to propagate in Prince William, but inscribed their names on its map.⁴¹ In the vicinity of Ashburn, in lower Loudoun, there is still an old and respectable community of Huguenot families, and others are found scattered elsewhere in northern Virginia, all of whom seem to have sojourned on Cedar Run.

NOTES TO CHAPTER THIRTEEN.

¹ The office of notary public, of great antiquity and whilom dignity, was originally ecclesiastical. In consequence, in England it is still an appointment of the Archbishop of Canterbury, but the merchants long ago appropriated it to their service in making record of solemn acts arising out of foreign trade.

² Fitzhugh's letters to Hayward here discussed may be found in *Va. Mag.*, i, 274, 408; ii, 22, 271, 273, 275, 372, 377, 378; iii, 8, 259; iv, 311.

³ Culpeper had bought out the other proprietors of the Northern Neck on his return to England after his first brief residence in Virginia. The 'deed Inroll'd' by which this was accomplished was dated July 21, 1681, and (as Mr. Conway Robinson noted, *Va. Mag.*, ix, 309), was recorded in the (now lost) General Court *Deed & Will Book*. 3:3, contemporaneously with the deed from Lord Arlington of his interest in the patent of 1673, covering 'all Virginia.'

* *Robert Bristow* (1643-1707), of a Hertfordshire family, emigrated to Virginia about 1660 and established himself in Gloucester. He sat in the house of burgesses in 1676 when he served on a committee with 'T. M.' During Bacon's Rebellion he took an active part in support of the government. The report of the Commissioners, Berry and Moryson, commends him for his loyalty and records his losses, but his character is best revealed by his portrait in that most racy of the Virginia classics, the Burwell MS. There it appears that Bristow was in the force under Major Lawrence Smith which went out with ludicrous results to oppose Ingram, after Bacon's death. When the 'armies' met, Bristow played the part of a medieval knight, 'For the saving of Pouder and Shott (or rather through the before mentioned Generossety of Courage) one Major Bristow (on Smith's side) made a Motion to try the equity and justness of the quarill, by single Combett: Bristow proffering him selfe against any one (being a Gent.) on the other side: this was noble, and like a Soulder. This Motion (or rather Challenge) was as redely accepted by Ingram, as proffer'd by Bristow, Ingram Swaering the newest Oath in fashion, that he would be the Man; and so advanceth on foot, with sword and Pistell, against Bristow; but was fetch'd back by his owne men, as douteing the justness of there cause, or in Consideration of the desparety that was betweene the two Antagonists. For though it might be granted, that in a private Condition Bristow was the better man, yet now it was not to be allowed, as Ingram was intitled.' And thus Bristow was captured. He suffered a rigorous imprisonment as well as heavy loss in estate, as Sir John Berry testified (*Va. Mag.*, v, 70), and in the summer of 1677 returned to England. There he remained during the remainder of his life, a member of the Grocers Company and a successful Virginia merchant in London. In 1687 he was Alderman for Walbrook ward. (See Byshe, *Visitation of Herts.* 1669; Burke, *Landed Gentry*, 1847; Beaven, *The Aldermen of London* (1908), p. 223; and *Va. Mag.*, xiii, 59, where is printed a calendar of Bristow's will from P. C. C. Poley, 275.)

* *The Brent Town grant*: C. O., 5:1324, p. 157. The survival of this instrument has a curious history. Executed in London, it was acknowledged in Stafford court by William Fitzhugh as attorney for Culpeper and was there recorded, July 13, 1687. The record book is one of those which was lost, but when, in 1737, William Byrd was arguing on behalf of the Virginia government that the Rappahannock River named in the final Northern Neck charter of 1688 was the north fork of that stream and not the Rapidan as was claimed by Lord Fairfax, he produced a copy of the Brent Town grant in support of his position and appended it to the report of the Virginia Commissioners which went to London. It is from that record we have rescued it.

* The southwest branch was Cedar Run and the northeast branch was Broad Run.

* There is a full transcript of this interesting document among the Brent papers in *Va. Mag.* xvii, 309.

* In his letters, beginning with one of April 1, 1689 (*Va. Mag.*, ii, 273), Fitzhugh consistently calls it 'Brenton' but as it appears 'Brent Town' in all the subsequent records and in one of Fitzhugh's letters is contrasted with 'James Town,' it is probable that the local usage followed the pronunciation, if not the spelling, of the nomenclators.

* In the *Voyages d'un Francois* (1687), it appears that the author met George Brent at Col. Fitzhugh's house just before Christmas, 1686, and was then told of the plans for Brenton. He remarks pleasantly that everybody in Virginia seemed anxious to sell lands to the Huguenots at this time.

²⁰ *The site of Brent Town*: There is no conclusive record of the location of the original town site, nor does local tradition aid in finding it. The route of the Brent Town road and the boundaries of the Brent Town tract as later defined seem, however, to point with reasonable certainty to the lower side of Town Run, above the mouth of Elk. This is within the limits of the present county of Fauquier, not far distant from the modern village of Sowego.

²¹ The surviving, mutilated fragments of George Brent's will of 1694 (*Va. Mag.*, xviii, 96), confirm the tenor of Hayward's prospectus (quoted below) on this point. In the will a devise is made to Henry Brent of 606 acres out of the Brent Town tract, 'six acres in the town and six hundred in the country, being lots to be laid out together, both in town and country.'

²² Baird, *Huguenot Emigration to America* (1885), ii, 170.

²³ Fitzhugh was so informed. *Va. Mag.*, ii, 26.

²⁴ *Va. Mag.*, ii, 273.

²⁵ See *ante.*, p. 129.

²⁶ Fitzhugh was evidently fascinated by Brent's diabolical suggestion of bringing Catholics to Virginia as a refuge from English politics. He saw in it an opportunity (*Va. Mag.*, ii, 372) to dispose of his own property and thus enable him to carry out his long nursed project of a return to England. As these letters were written in the midst of the clamors of Parson Waugh's anti-Catholic agitation, Fitzhugh's description of Virginia as 'a good Sanctuary' was hardly candid.

²⁷ *Va. Mag.*, iii, 8.

²⁸ *Ibid.*, iii, 259.

²⁹ *Ante.*, p. 85.

³⁰ *Cal. Am. & W. I.*, 1693-96, p. 311.

³¹ *Journals H. B.*, 1712-26, p. 288, 312, 326. These proceedings are the more interesting because the Assembly had no jurisdiction over the land titles in the Northern Neck. The assumption of that jurisdiction in this case was apparently a *ballon d'essai*.

³² The Fitzhugh and Jeffreys lands here referred to were 'Ravensworth' and the Cadwallader Jones' tract, both on Accotink in what became Fairfax.

³³ *Carter Letter Book MS.*, Va. Hist. Soc.

³⁴ For reasons of strategy in dealing with the Brents, Col. Carter did not permit the surveyor's descriptions in 1724 to make any reference to Brent Town, even when the lines of his grants approached what were supposed to be the Brent Town lines, e. g., *cf.* *N. N.*, A: 64, 65, 91, with E: 105.

³⁵ *The Brent entail*: The descendants of George Brent of Woodstock (who are arrayed from the surviving Stafford records and family papers in *Va. Mag.*, xviii, 96, 321) continued to reside on Aquia until after the Revolution. None of the name seems ever to have lived on the Brent Town tract. In the Prince William records (*D. B.*, R: 19, 108, 215; W: 85) there are a series of deeds ranging from 1768 to 1784, which evidence the transfer of their Brent Town dividends to their kinsmen, the descendants of Giles Brent of 'Peace.' From the recitals of these instruments it appears that, under the entail created by the will of George Brent of Woodstock (the mutilated fragments in *Va. Mag.*, xviii, 96, are supplemented on this head by *Prince William D. B.*, W: 85), this estate passed through all four of his sons to the son of the youngest. It was his grandson, another George Brent, who was a party

to the partition of 1738, and subsequently made the manorial leases of 200 acre plots which remain of record in Prince William (*D. B.*, E: 327, 329, 331, 333; L: 207; Q: 471). It was he, too, with his eldest son, Robert Brent, who made application to the Assembly in 1775 to dock their entail (*Journals H. B.*, 1773-76, p. 181). This George Brent died in 1778 and his son, Robert, in 1780, so that it was left to another George Brent (son of Robert, above named, and elder brother of the Robert Brent, who was Mayor of Washington) finally to release the Brent Town dividend in 1804 to Daniel Carroll Brent; and to the last named it befell to close the family record in relation to the property (*Prince William D. B.*, W: 341, 405; X: 111; Y: 73, 104, 449).

²⁰ *The Footes*: When the Brent Town speculation was launched, the Richard Foote, who was one of the original proprietors, sent a young son out to Virginia and established him in Chotank (See his land grant in Kidwell's Neck in *N. N.*, 3:196). From this immigrant descended a series of Richards and Georges, who, in the second, third and fourth generations in Virginia, lived on their Brent Town dividend. That they occupied the original town site below Cedar Run appears from the proposal to the Council in 1742 to locate the second Prince William court house 'at a place called Brent Town, belonging to Richard Foote' (*Va. Mag.*, xv, 384). Sketches of the three houses they there occupied in 1759 are laid down on the contemporary plat of the Prince William-Fauquier boundary. For this family, which later migrated to the southwest, see *Va. Mag.*, vii, 73, 201. The recitals of their deeds in the Prince William-Fauquier records (*Prince William D. B.*, B: 345; G: 45, 93; I: 93; Q: 460; *Fauquier D. B.*, 1:456; 14:649) preserve much of their own genealogy and of the later history of Brent Town.

²¹ *The Brent Town Survey*: The date of the survey here quoted from a Foote deed of 1762 (*Fauquier D. B.*, 1:456) probably refers to the completion of the partition, for a bill rendered by James Thomas, jr., to William Fairfax in November, 1736 (*Cal. Va. State Papers*, i, 230), shows that Thomas had then recently surveyed 'the Brent Town tract containing 30,000 acres' in company with 'Mr. Savage,' representing 'Messrs. Brent Foot & Co.' At all events, the completed survey was a recorded fact in 1739 when the Northern Neck books were reopened, for there then issued several grants extending old boundaries to conform to definite Brent Town lines. See *c. g.*, for the 'back line' *N. N.*, E: 105, 401 (*Prince William D. B.*, E: 490 is evidence that this was not an uninterrupted straight line); and for the boundaries below Cedar, *N. N.*, E: 362, 399; F: 17, 107. By reason of the loss of the Prince William deed books for 1737 and 1738 no comprehensive survey remains of record, and diligent inquiry among the families of the proprietors has not revealed the survival of a plat. The definition of the bounds of Brent Town given in the text is, therefore, a reconstruction from the evidence of the descriptions of adjacent landholdings.

The location of Brent Town became a matter of argument in the great cause of *Virginia v. Fairfax*, involving the bounds of the Northern Neck. As such it was referred to by Col. Byrd in his report of 1737 (*Westover MSS.*, ed. Wynne, ii, 124) and the name was laid down between Broad and Cedar Runs on John Warner's Northern Neck map of 1737; but both these references were prior to the actual survey and are now evidence only of current opinion. On the other hand, the indication of 'Brent Town' on John Henry's map of 1770, placing it below Dorrell's Run in the extreme south eastern salient of Fauquier is not justified by any of the land records, but is demonstrated by those records to be one of the errors for which that map is notorious.

²⁸ A partition seems first to have been proposed in 1734. In that year Richard Foote made an individual deed to Henry Fitzhugh (*Prince William D. B.*, B: 345) for 1,000 acres in Brent Town, reciting that 'it is uncertain whether the same or any part thereof may be allotted to or fall within the share of said Richard Foote when the said thirty thousand acres of land come to be divided among the several proprietors thereof.' In consideration of this uncertainty, Foote gave Fitzhugh a bond of indemnity, which was released in 1741 (*ibid.*, E: 484) by an instrument reciting that Brent town had been 'lately divided among the several proprietors thereof.'

²⁹ *The last of the Haywards.* The only deed remaining of record to testify to the disposition of the Hayward dividend is an interesting one dated August 14, 1741 (*Prince William D. B.*, E: 394) from 'Samuel Hayward, Esq., his Majesty's Consul of all the Islands under the Venetian Government in the Levant now residing in the Island of Zante' to Henry Fitzhugh.

³⁰ *The manorial leases.* The habendum clause ran, e. g., 'to him the said Peter Glascock for and during his natural life, also for and during the natural life of Jane, the now wife of the said Peter, and for and during the natural life of John, son of the said Peter and Jane, or the survivor of them.' Among the lessees whose names survive on the records were, in addition to the Peter Glascock named above, John Northcut, John Hendiron, Richard Worsdall, Scarlet Maddain and John Newman. Other names appear in the Brent rent roll of 1746, which is printed in *Va. Mag.*, xvi, 212.

³¹ *Fitzhugh of Brent Town:* *DeBow's Review*, 1860, xxx, 76. The Fitzhugh lands in Brent Town were ultimately included in Fauquier. As shown by *Prince William D. B.*, E: 394, and the depiction of the house of 'John Fitzhugh' on Bertrand Ewell's map of the Prince William-Fauquier boundary in 1759, these lands lay on and above Cedar, a short distance west of the mouth of Dorrill's. For George Fitzhugh (1807-1881) see *Va. Mag.*, ix, 102; *Appleton's Cyc. Am. Biog.*, ii, 474.

³² See Capt. Gordon McCabe's Presidential address to the Virginia Historical Society for 1916, s. v., Garnet.

³³ *The fate of the Bristow tract:* See in *Prince William D. B.*, 3:90 the will dated December 1, 1776, of Robert Bristow 'of Michel-dever in the County of Hants,' but at the time of his death residing in 'the parish of St. Martin in the fields, in the County of Middlesex.' The sordid story of the 'Bristow tract' after the Revolution is recorded in *Commonwealth v. Bristow*, 1806, 6 Call, 60; *Cal. Va. State Papers*, v. 257, 272, 284; vi, 643; vii, 20, 63, 79; x, 13, 80; Shepherd, i, 237; ii, 333; *Acts*, 1821-22, ch. 93, p. 69; *Journals H. D.*, 1822-23, p. 190; 1823-24, p. 64; *Acts*, 1822-23, ch. 64, p. 86; 1830-31, ch. 60, p. 131; 1833-34, ch. 12, p. 25; *Martin's Gazetteer* (1836), p. 273. In the Prince William records the deeds of the Literary Fund refer to a map of the Bristow tract made by A. P. Williams in 1824 but unfortunately, like the 1737 survey of the Brent Town tract as a whole, that map also is now missing. Neither in the Prince William records nor in those of the Literary Fund in Richmond can any copy of it be found.

³⁴ *Ravensworth.* When, in 1677, Thomas, Lord Culpeper, became Governor of Virginia in succession to Berkeley, he asserted with authority the long disputed rights of the Proprietors of the Northern Neck, and the Virginia government suspended the issue of land patents within the proprietary. As the inhabitants would not take grants from Culpeper, there ensued an interval of twenty years during which Stafford practically stood still so far as concerned new seatings. This was not

due to lack of effort on the part of Culpeper. Having bought out the other Proprietors in July, 1681, he was unceasing in his attempts to start again the machinery of local development. So far as the record goes, he succeeded in creating only three new titles in Stafford during this period, but they were notable. Two were the estates afterwards known as Mt. Vernon and Brent Town. The third was Ravensworth. By reason of the loss in Philip Ludwell's office of the original grant for Ravensworth, issued in 1690 (see *Va. Mag.*, iii, 8), William Fitzhugh was compelled to take out a new grant on October 1, 1694 (*N. N.*, 2:14). The recitals of that second grant reveal that the title dated from April 28, 1684, when the tract was originally surveyed for John Matthews, who conveyed to Fitzhugh by deed dated August 22, 1685. It was not until 1724, however, long after the death of the original grantee, that the name Ravensworth appears on the records as applied to this Fitzhugh estate (*N. N.*, A: 208).

³⁵ *Va. Mag.*, i, 408.

³⁶ A few months later (*Va. Mag.*, ii, 26) Fitzhugh asserted that these terms were 'as low as any land here with us is generally patented out at, or lett to lease,' and in July, 1690 (*ibid.*, iii, 8), he urged that they were 'almost as good as giving the land in fee simple.' At this latter time he was willing to accept his rent in kind, i. e., a hogshead of tobacco in lieu of 20 s. It will be noted that Fitzhugh offered to sell at a smaller price than Hayward (£7 instead of £10 per hundred acres) and says nothing about quit rent; but his terms for a long lease were the same as Hayward's.

³⁷ Presumably he meant Hunting Creek and Pohick Bay, where the warehouses were later established. In time a rolling road lead from Ravensworth to Pohick warehouse.

³⁸ i. e., Hayward's plantation on the Potomac, adjoining Bedford.

³⁹ The Virginia naturalization practice was liberal. The original act (Hening, ii, 289) dating from 1671, required individual application to the Assembly (e. g., Hening, ii, 302, 308, 339, 400, 447, all confirmed *ibid.*, iii, 479), but in 1680 (*ibid.*, ii, 464) the Governor was authorized to issue letters patent of naturalization.

⁴⁰ *Va. Mag.*, ii, 18.

⁴¹ *Va. Mag.*, iii, 8.

⁴² Baird, *Huguenot Emigration to America* (1885), ii, 175.

⁴³ *Va. Mag.*, iii, 9. In Mr. R. L. Maury's valuable paper, *The Huguenots in Virginia* (Publications, Huguenot Society of America, 1900), there is printed a later letter from Fitzhugh about this gentleman, but in neither is his name given. Perhaps he was Louis Latane, who became parson of South Farnham parish in 1700, or just before Fitzhugh's death.

⁴⁴ W. H. Foote, *The Huguenots* (1870), p. 541. This tradition was direct enough. Mr. Foote had it from Mrs. Patty Venable, reporting conversations with her grandmother, a child of Abraham Micheaux and one of the immigrants.

⁴⁵ Brock, *Huguenot Emigration to America* (Collections Va. Hist. Soc., vol. v), p. 44.

⁴⁶ William Fitzhugh's will was dated April 9, 1700, proved in Stafford, December 10, 1701, and is printed in *Va. Mag.*, ii, 276.

⁴⁷ It was a grandson, William Fitzhugh of Chatham, who in his old age, after the Revolution, abandoned his house near Fredericksburg where the practice of hospitality had become burdensome, and removed

to Ravensworth, being the first of his name to reside there. He was succeeded by his son, William Henry Fitzhugh, who died at Ravensworth in 1830, without issue, when the property descended to his niece, Mrs. Robert E. Lee, of Arlington. (See *Lee of Va.*, p. 82; *Va. Mag.*, viii, 95, 430).

⁴⁸ *Marquis Calmes*: *N. N.*, 3:147, 223. This land adjoined the grant of William Waller (1694, *N. N.*, 2:66, 67) whose daughter married 'Marquis Calmes,' as the name later appears. Their son, William is supposed in turn to have married Lucy, daughter of George Nevill, of 'Nevill's Ordinary,' in what is now Fauquier. The original 'Marquis' subsequently removed to the Valley. He must have sojourned on the way in that bent of the Blue Ridge which is now known as Manassas Gap, for the earliest recorded name of that passage is written 'Calmes' on John Warner's Northern Neck map of 1737. But whatever may be the fact in this respect, 'Marquis Calmes' ultimately established himself on the 'Vineyard Farm' near Milbrook and sat in Frederick court (Hening, viii, 624). His descendants are well known in the early history of Kentucky. See the traditions in *Collections*, Habersham (Georgia) Chapter, D. A. R., i, 46; ii, 346.

⁴⁹ It was his lands on Cedar Creek which were later acquired for the second Prince William court house. See *post*, p. 316.

⁵⁰ *Cal. Am. & W. I.*, 1700, No. 876, p. 620. Beverley (1705, iv, 45) gives a further elucidation in his notice of the Huguenots, saying: 'In the year 1699 [sic] there went over in all about 300 of them and the year following about 200 more. . . . The Refugees that arrived the second year went also first to the Monacan Town but afterwards, upon some Disagreement, *several dispersed themselves up and down the Country.*'

⁵¹ e. g., Philemon's Branch and Tacquet's Ford on Cedar Creek, within the present limits of Prince William. Both names appear frequently in the land grants but, with characteristic American disregard of antiquities, have been superseded in modern usage.

CHAPTER FOURTEEN

The Elk Marsh

DURING the twenty years following the failure of the Brent Town colonization plans, a wholesome dread of the 'Senecas,' who, throughout that period regularly frequented the backwoods of old Prince William, confined the plantations below the fall line of the rivers. It was not until after Robert Carter of Corotoman took over the Northern Neck agency in the spring of 1702 that an inland movement began, and then it waited for Col. Carter himself to give the lead. Thus are we introduced to the most potent personality in the ante revolution history of northern Virginia.

Robert Carter was a man of tremendous energy, shrewd business habits, dominant personality, and accustomed to succeed in whatever he undertook. Inheriting a fortune from his father, he steadily increased his estate. In 1702, when he first became agent for the Northern Neck, Beverley described him as already 'one of the greatest freeholders in that proprietary' and when he died, in 1732, at the age of 69, his obituary in the *Gentlemen Magazine* stated that he left 300,000 acres of land, 1,000 slaves and £10,000 in money. He had run also the Virginia *cursus honorum*. Beginning as a burgess for Lancaster in 1691, he at once took the place in the Assembly to which his superior education, as well as native parts, entitled him, and in 1695 was chairman of the first rate committee of Propositions and Grievances. A year later he was for the first time elected Speaker, and, while serving that office again in 1699, was elected Treasurer of the colony. Although that last duty had then come to be a function of the Speaker and he was advanced to the Council in 1700, Col. Carter continued to act as Treasurer until 1705, which is a remarkable evidence of the confidence the Assembly then had in him. It was in the Council, however, that he took his largest and longest part in provincial

administration, topping off his political career there by acting as Governor during the interval between the death of Drysdale and the arrival of Gooch. He was remarkable also at once in the number and the quality of his progeny. For all these reasons his parson recorded on his tombstone that he was a man 'opibus amplissimus bene partis instructus,' and posterity, taking the word out of Governor Nicholson's mouth, has acclaimed him 'King.'

Col. Carter began his acquisition of backwoods lands on the Rappahannock. In March, 1703/4, James Innes is recorded as taking four grants aggregating 2,331 acres at and immediately above the falls of the Rappahannock, where a quarter of a century later the town of Falmouth was to be established.¹ A few months later this was followed by a grant to Innes of 11,115 acres 'in Richmond and Stafford Counties in the forrest above the falls of Rappahannock River, upon the branches of the Run called Potowmack Run, falling into Potowmack Creek and upon the Run called Deep Run, falling into Rappahannock river about ten miles above the falls thereof.'² These surveys had been made for account of Robert Carter and were promptly transferred to his name. Contemporaneously, under cover of this confidence in the future, Hancock Lee of Ditchley began his accumulation of lands immediately above the falls; and Edward Mountjoy took out, below Deep Run the first land grant on the north fork of the Rappahannock upon which he built, at the mouth of Richland Run in 1705 the first tobacco house above the falls.³

In 1707 Col. Carter likewise set an example above the fall of the Occoquan. The first survey here was recorded in 170 by Robert Singleton below the mouth of Sandy Run 'at or near the fording place of Ochoquan River about three miles above the falls,' but Singleton was still alone in October, 1707, when Col. Carter took out in the name of his infant son, Robert Carter, jr., then in this third year, grants for 10 acres 'on the north side of Occoquan river a little below the falls thereof and 902 acres above the falls, adjoining Singleton and extending to Wolf Run.'⁴ Here again Hancock Lee immediately fo

lowed, and henceforth every year the surveyors may be followed up the Occoquan, and its branches, Bull, Broad and Cedar, until, by 1722, the low grounds on those streams had been occupied: on Bull Run as high as the head of Cub (say the present northwestern boundary of Fairfax); on Broad as high as the mouth of Kettle; and on Cedar as high as the Brent Town boundary at the mouth of Dorril's.⁵

Most of these Occoquan grantees at this period were speculators, as their well known names testify, but among them were a few actual settlers from the Potomac plantations, conspicuously the Huguenots we have already noted on the south bank of Cedar. The movement may be illustrated by a few examples from the land books. In 1710 John Waugh, son of the parson of that name, is on Wolf, above Col. Carter, and thence went north, beyond the mouth of Bull, to Pope's Head.⁶ In 1714 Mark Chilton, who lived on Powell's Run, surveyed a claim 'in the back woods on the west and north side of Bull Run;' and George Eskridge of Westmoreland took up a considerable tract on the Flat Lick of Cub.⁸ Turning south we find Henry Halley 'on the south side of Occaquan Main Run [i. e., Cedar above its confluence with Broad] on the branches of it and on the head of the north run of Quanticot' and in the same year Thomas Harrison and Thomas Whitledge had a grant 'on the South side of the branch of Occaquan called Cedar run and on the east of Dorril's run.' In 1711 the Huguenots were seated near Halley. In 1715 Patrick Fisher is above Cedar on Slaty; Valentine Peyton on Kettle; while John Catlett, the grandson of Lederer's companion, describes himself as 'on both sides of the Brent Town road and on the easterly side of a run commonly called and known as Darrell's run.' Thus had the surveys reached, and indeed had encroached upon, what were then deemed to be the eastern and northern boundaries of the Brent Town tract.

Meanwhile on the Rappahannock the movement not only got under way earlier, but went further with its first impetus. Pushing up the North Branch, soon to be called Hedgman's River, the pioneers on this side had established, by 1715, a

new community to the west of Brent Town. On the rich low grounds which were described variously in the land grants as 'the Great North Marsh,' the 'Rappahannock Marsh' and the 'Elk Marsh,'¹⁰ and where once had stood the only Manna-hoac town of which the site is definitely recorded,¹¹ these adventurers had the honour of being for a moment the American 'far west' as well as the nucleus of Fauquier.

Above Deep Run, which Robert Carter had named in 1703 when he made it a boundary of his first 'great tract' of wilderness land, we can trace the surveyors on their way past Rocky Run¹² and Summerduck¹³ until, in the summer of 1710, they were at work at 'the Great Marsh about 30 miles above the Falls.' They evidently brought back to tidewater ample confirmation of the hunters' reports of the desirability of the Elk Marsh lands, for, despite the real risk of 'Senecas,' there soon followed something like a rush of land hunters bound thither.

Along the river front were arrayed a number of provident tidewater men who had no thought of residence, for the moment not even of establishing quarters. Among them, as early as June, 1709, the second Philip Ludwell took a grant on the river below the Marsh and, after 1715, purchased also a large slice of the riverfront above the Marsh, including the approach to Norman's Ford; these two tracts together made up more than 10,000 acres.¹⁴ About the mouth of Marsh Run surveys were made for Parson Alexander Scott, Samuel Skinker and Catesby Cocke, all of whom persistently followed the frontier with their speculations, and are to be met later in the development of the White Plains neighbourhood. On either side the mouth of Tinpot appear, also in 1715, two men who gave their names to the branches of the Rappahannock which made the Little Fork, William Thornton and Nathaniel Hedgman.¹⁵ Still further up river a small grant of December, 1715, introduces us to the mouth of Great Run; but in other grants of 1716 and 1717 that stream is called 'Broad Run or the Golden Run'¹⁶ before its name was settled in 1718 by the descriptions of two important grants upon its upper waters: that in June to John and Rice Hooe of Chotank, of 2,900

acres, designated 'North Wales' in the grant, as it still is;¹⁷ and that in November to Thomas Lee, of 4,200 acres above the Hooes, on which the grantee's son was eventually to lay out the town of Warrenton.¹⁸ North of the mouth of Great, the occupation of the river bank was still to be some time delayed. It was not until 1724 that there was recorded a survey at the mouth of Carter's Run.¹⁹

While Lee's grant carried the Virginia frontier to the first hills, the immediately significant occupation of the territory was that covered by more than fifty small grants on the upper waters of Marsh Run, recorded between 1710 and 1719, when the proprietary office again was closed for three years.²⁰ The incidental recitals of the land books testify that by 1715, few as they may have been, some of these grantees already called Elk Marsh home. Among such proven pioneer residents were William Russell²¹ and Mark Hardin,²² as well as those who gave their names to streams; John Brown and William Allen, on Brown's Branch;²³ John Marr and John Hopper, on Marr's Branch;²⁴ and Jeffrey Johnson, on Johnson's Branch.²⁵

Until 1732 this Elk Marsh settlement was included in Hanover parish and we owe to the records of that parish the sole surviving contemporary estimate of the earliest period of its community life. In 1734 the vestry testified²⁶ that when Hanover was organized and bought its glebe, say in 1714,

'there were hardly Twenty Tithables in that Part of Hanover Parish which is now taken into the Parish of Hambleton, and the greatest part of them at the Time of purchasing the said Glebe and making the Improvement upon the same had not sufficient to pay their levies: but are now [1734] increased to near Two hundred and fifteen.'

On this basis, applying the colonial census formula,²⁷ the total population of the Elk Marsh community did not exceed 80 in 1714, but had grown to 860 in 1734.

NOTES TO CHAPTER FOURTEEN.

¹ *N. N.*, 3:21, 22, 29, 107. These lands included the Falls Quarter named in Col. Carter's will.

² *N. N.*, 3:34. See 3:87 and 4:218 for references to this grant as 'a tract called Richland belonging to Robert Carter.' Here were subsequently established the quarters known as 'Carter Park,' 'Stanstead' and 'Poplar,' indicated on the Fry & Jefferson map.

³ *N. N.*, 3: 19. Mountjoy had later another grant in this vicinity, *ibid.*, 4: 224, all of which passed to Col. Carter. See the affidavits of Francis Thornton, John Taliaferro and William Russell, made in 1736 for Col Byrd (*Westover MSS.*, ed. Wynne, ii, 99 ff.)

⁴ *N. N.*, 3:164, 165. These grants evidence thus early Col. Carter's intention to build his son Robert's inheritance on the Potomac, just as his grants in 1709 (*N. N.*, 4:255, 257) in the name of Charles Carter, later of Cleve, but then also an infant, on Rocky and Summerduck runs evidence an intention to make Charles a baron of the Rappahannock.

⁵ *Dorrill's Run*: In the early grants this name is spelled both 'Darrells' and 'Dorrills,' thus indicating that the present spelling is a corruption, following pronunciation, of the surname Darrell. This family was conspicuous in the Stafford records at the end of the seventeenth century: One of them apparently was at Brent Town before the records begin.

⁶ *N. N.*, 3: 254, 264, 265.

⁷ *N. N.*, 5:71. This is the first appearance of the name, Bull Run, and so it was perhaps assigned by Chilton. Heretofore the grants had distinguished the stream from Broad, as the 'Little or Lower North Branch' of Occoquan.

⁸ *N. N.*, 5:121. *George Eskridge* was one of Robert Carter's agents in the administration of the proprietary, and long served as a Burgess for Westmoreland. He is better known, however, from the fact that he was the guardian of Mary Ball, the mother of Washington, and it is assumed that the father of his country got the name, George, from him.

⁹ *N. N.*, 5:97.

¹⁰ *N. N.*, 4:47, 94, 102; 5:87, 90, 92, 93.

¹¹ *Tanxnitania*: In a grant of 1717 (*N. N.*, 5:177), relating to lands above the mouth of Great Run, there is mention of 'a poison field where an Indian town has formerly stood.' This was doubtless the Manahoac town laid down on Capt. John Smith's map as Tanxnitania. By means of the land records Mr. H. I. Hutton of Warrenton has identified the poison field in question as the site of Fauquier White Sulphur Springs. In this vicinity Mr. E. M. Jeffries, ploughing an old sod in the spring of 1923, reports that 'indian arrow heads can be gathered by the handful.' The location above the river near the 'Elk Marsh' and the 'Elk Ford' doubtless made Tanxnitania an ideal hunting camp.

¹² It was both named and described in 1709 (*N. N.*, 4:255), as 'Rocky Run, it being the next run above Deep run.'

¹³ It was described in 1709 (*N. N.*, 4:257) as 'the second run above Deep run. . . about 16 miles above the falls.' By 1715 (*N. N.*, 5:102) it had become 'Summer duck run, being a branch issuing out of Rappahannock between the Great Marsh Run and Deep run.'

¹⁴ Philip Ludwell's two Rappahannock tracts are indicated on the Brooke & Jefferson map of 1746. The lower tract, on Persimmon Run, was made up of the grants of 1709 in his own name (*N. N.*, 4:219, 221). The upper tract, at Norman's ford, was taken up in 1715 by Innis Hooper and William Thornton (*N. N.*, 5: 61, 91, 171), but had passed to Ludwell by 1727 (*N. N.*, B: 82). For the ultimate transfer of this land to a son of Charles Carter of Cleve see *post*, p. 464.

¹⁵ William Thornton (1680-1742) was sheriff of Richmond in 1709 and 1717 (*W. & M. Quar.*, iv, 92). His grants are *N. N.*, 5: 87, 88, 91. The elder Nathaniel Hedgman described his grant of 1715 (*N. N.*, 5: 119) as 'on the north side of Rappahannock river about 35 miles above the Falls.' His sons, Peter and Nathaniel, jr., increased the family holding in this vicinity in 1724 (*N. N.*, A: 61, 62) with the result that their name is entered on the Brooke & Jefferson map of 1746 just above Tinpot. The Hedgmans were a Potomac family. In 1707 the elder Nathaniel Hedgman bought the 'Accokeek' residence, on Potomac Creek, of the first George Mason (Rowland, i, 23). His son, Peter, bred in the law, long represented Stafford in the Assembly, and was one of the Crown Commissioners for the location of the Northern Neck boundary in 1746. For his intimate relations with the Brents and the Carters see Hening, v, 292, 303.

¹⁶ A 1715 grant (*N. N.*, 5: 107) is described as 'on a Great run issuing out of Rappahannock about four miles above the second or little fork of the said river.' The attempt to call it Broad or Golden appears in (*N. N.*, 5:162, 177). Thomas Lee's grant of 1718 (*N. N.*, 5:239) refers to 'a run issuing out of the North Branch of Rappahannock River, commonly known by the name of the Great Run, falling into said river above the second great fork.

¹⁷ *N. N.*, 5:184. Fauquier Historical Society Bulletin No. 1, p. 97.

¹⁸ *N. N.*, 5: 239. See *post*, p. 332.

¹⁹ *Carter's Run*: It was this delay of occupation of the upper river which enabled Lord Fairfax in 1736 to include so much of it in his Leeds Manor. The fact is significantly indicated by the Jefferson and Brooke map of 1746, which records the names of landowners on the Prince William bank of the river only as high as the Little Fork.

As it happens, Carter's Run does not derive its name from Robert Carter, as is generally assumed, but from his esteemed friend and business associate (but no relation), Capt. Thomas Carter of Lancaster. (See the comment on the friendship in Robert Carter's will, *Va. Mag.*, vi, 4 and 'Capt. Thomas Carter and his Descendants' in *W. & M. Quar.*, xvii, 275). This Capt. Carter (1672-1733), took out, in July, 1724 (*N. N.*, A: 47), a grant at the mouth of this stream, but did not venture to name it; in November, 1725 (*N. N.*, A: 176), Dennis Morgan, following him, described his grant as 'on the upper Great Run about a mile above Capt. Thomas Carter's.' That the stream so described was Carter's Run is apparent from John Blower's grant of April, 1727 (*N. N.*, B: 73), in the vicinity of the modern village of Marshall, in which it is again called the Upper Great Run of the North Branch of Rappahannock. Parson Scott's grant (Gordonsdale) of the July following (*N. N.*, B: 85), followed by Walter Anderson's of 1728 (*N. N.*, B: 128), were the first to denominate the stream 'Carter's Run,' but later grants sometime combined the names as 'Carter's Great Run.'

²⁰ These grants begin with *N. N.*, 4:5, and extend to 5:231.

²¹ *The two William Russells*: In the northern Virginia records during the period of seating of the territory two men played parts which

have been persistently confused as a consequence of their bearing the same name. This note is an attempt to distinguish them:

(a) *Capt. William Russell* (1680-1741) the Elk Marsh pioneer was a backwoods hunter and ranger during his youth and ultimately settled down to live out his life in that part of Prince William which became Fauquier. He seems to have been the brother named by Mary Russell in 1690 in her proceeding in Stafford Court to collect a legacy under the will of Dr. Edmund Helder (see *ante.*, p. 118). If so he was son of another William Russell who had lived on Potomac Creek. The first certain record of the ranger is, however, provided by his own testimony (*Westover MSS.*, ed. Wynne, ii, 100). This affidavit, made in 1736, when he was 'aged 56,' records that as early as 1701 he had been engaged in hunting expeditions into the backwoods above the falls of the Rappahannock; which seems to qualify him to be one of the rangers who discovered Swift's Run gap in the spring of 1716 and later guided Spotswood and the Knights of the Golden Horseshoe on their transmontane expedition. (The names of these rangers have not been preserved, but see Spotswood's report to the Council of their discoveries, *W. & M. Quar.*, 2d series, iii, 154, and Fontaine's *Journal* for the statement that they accompanied the Governor in August of the same year.) This identification is fortified by the tradition that a William Russell was one of Spotswood's party (*Va. Mag.*, xiii, 283; Gordon, *Men and Events*, p. 155) and by the description of the Elk Run pioneer in later records (e. g., in a deed of 1770, *Fauquier D. B.*, 4:50) as 'Captain.' It seems likely also that it was a ranger who gave his name to Russell Run which empties into the lower side of the Rapidan above Germanna and is named in the land patents before the other William Russell had come prominently on that stage (*Cf. Patents*, 10: 290 and 14: 378, 381).

In 1712 the ranger had two grants on Horsepen Branch of Marsh Run, and in 1715 was recited to be living there (*N. N.*, 4:100, 102; 5:80). He probably sold these lands in 1724 for in that year he moved up country and seated himself again near the future site of Warrenton. On February 9, 1724/5 (*N. N.*, A: 130) he had a grant of 645 acres on Turkey Run, adjoining Mann Page, and there he recited himself to be living in April, 1741 (*Prince William D. B.*, E: 222). Later in the same year, 1725 (*N. N.*, A: 178), he took still another grant, on Pignut, but this he soon sold. From the surviving Prince William and Fauquier records it appears that this William Russell had four children, a daughter who married John Holtzclaw, and three sons, Martin, Nicholas, and William, jr. In November, 1737, and March, 1739/40, he conveyed to John Holtzclaw 266 acres of his Turkey Run tract (*Prince William D. B.*, D:357, and *cf. Fauquier D. B.*, 1:329) and in April, 1741, by three deeds, divided the rest of it, including his own residence, among his sons, with remainder to the children of the youngest, William Russell, jr. (*Prince William D. B.* E: 222, 223, 224). These lands were in the fork of the Marsh and Dumfries roads, near Turkey Run Church, and it was on the Holtzclaw dividend, which had descended to William Russell's granddaughter, Elizabeth Holtzclaw, wife of John Duncan, that the Fauquier Court was held, in June, 1759. (See *post*, p. 347). Capt. William Russell would have been 61 years of age when he thus distributed his property in 1741, and he must have died soon after, but the surviving Prince William records show no will or administration to prove the date.

(b) *Lieut. Col. William Russell* (1687-1759) of Culpeper is reputed by his descendants to have been born in England, educated in the law, and to have emigrated to Virginia in 1710 as a clerk to Spotswood. (See *William Russell and his Descendants*, Lexington, Ky., 1884). The earliest surviving testimony for him in the colony is in the Spotsylvania

records. (See Crozier's edition, *passim*). In 1724, or soon after Spotswood ceased to be Governor, he is described as 'of Drysdale parish, King and Queen County,' when Larkin Chew, sr. (whose will he witnessed in 1728), vested him with a dividend of land on Warner's Branch of Mattaponi. In 1724 these lands were in St. George's parish of Spotsylvania and in 1725 William Russell is described as of that parish and county. When Spotswood returned to Virginia in the spring of 1730 with a commission as Deputy Post Master General for America, Russell again entered his service, and was sent by Spotswood to negotiate with Governor Gordon of Pennsylvania as to details of the postal service (*Pa. Archives* i, 264). In 1732 he was engaged with Larkin Chew, jr. in promoting the settlement of lands on Happy Creek beyond the Blue Ridge in competition with the Hites (*Va. Mag.*, xiii, 283). There he was licensed to maintain a Shenandoah ferry in 1736 (Hening, iv, 531). In that same year he was added to the commission of Orange (C. O., 5: 1420, p. 211). He was now living north of the Rapidan for when, in 1740, St. Marks parish was confined by that river Russell became a vestryman of St. Marks (Slaughter, *St. Marks*). In 1756 he was in the field in command of the Culpeper militia as Lieutenant Colonel (*Journals H. B.*, 1752-58, p. 376. See also Dr. Draper's note in Thwait's edition of Withers, *Border Warfare*, p. 66, that he was sent on an embassy to the Indians in 1753, which is not borne out by anything in the *Dinwiddie Papers*). In 1759 he died 'aged 72' and was buried in Buck Run Church of Culpeper (*Va. Mag.*, xiii, 283). This William Russell was the progenitor of two successive William Russells who rose to distinction on the western frontier. For one of them who was second in command at the battle of Point Pleasant Russell County was named.

²⁰ His grants of 1716 are *N. N.*, 5:93, 153. Others in 1723 (*N. N.*, A: 12, 56) 'on the west branches of Elk Run' and on the head of Marr's (now 'Harper's') Run included the future site of Hardin's Ordinary (See *post*, p. 489).

²¹ Their grants of 1710 were described as on Marsh Run (*N. N.*, 4: 5, 21), but by 1724 (*N. N.*, A: 53) 'Brown's branch thereof' had become an established name.

²² Their grant of 1712 (*N. N.*, 4:94) described their location on 'the Horsepen Branch issuing out of the east side of the Great Marsh Run.' In 1719 a grant (*N. N.*, 5:230) referred to the 'Horsepen Branch now called Marr's run' and so it was thereafter recited in the land grants. The name 'Harper's' applied to this stream by the topographical survey map may be either a corruption of 'Horsepen' or of the name of Marr's partner, Hopper.

²³ His grant of 1712 (*N. N.*, 4:101) describes him simply as on the Marsh Run, but by 1719 (*N. N.*, 5:197) the location is described as 'the north or upper Marsh commonly known by the name of Jeffry Johnson's Marsh.' Still later (*N. N.*, A: 9) the stream has become 'the North Marsh Run.'

²⁴ *Journals H. B.*, 1727-40, p. 200. For the organization of Hanover parish under an act of 1713, see *post*, p. 303.

²⁵ *Ante.*, p. 117.

CHAPTER FIFTEEN

Germantown

AS Brent Town was intended to be a buffer between the tidewater settlements and the northern indians and realized a very different destiny, so also may be read the more important history of the next outpost to be established in the wilderness of northern Virginia.

We have seen¹ how Spotswood planned, in February, 1713/14, to establish the Tuscaroras on the south branch of the Rappahannock to block the Iroquois Path through Virginia and that his purpose was dashed by the return of that nation to their ancestral lands in North Carolina. Confident nevertheless that his policy was sound and that he had selected the strategic place on which to erect his barrier, the resourceful Governor lost no time in renewing his plan in another form.

At the very moment when the Tuscaroras were retiring from Virginia, a band of 'forty Germans, men, women and children,' were on the high seas bound thither. On their arrival within the capes, in April, 1714, all unwitting of what was awaiting them, these people became the vicarious instruments of Spotswood's politics. They were Calvinist miners from the iron district of the Sieg valley (now included in Prussian Westphalia) and had owed allegiance to the Catholic Counts of Nassau-Siegen. Persecution of their faith had recently been abated by the emperor, Joseph I, but the mining industry of Siegen was, in 1713, still suffering from a depression in which it had been left by the protracted religious disturbances of the previous generation.² This band of miners was, therefore, moved by an economic, rather than an immediately religious, impetus of migration when they heard from agents of Christopher de Graffenried that he had a silver mine in the Massanutten mountain on the Shenandoah, where fortune, as well as assured religious liberty awaited experienced miners who would risk the dangers of the wilderness.

But when the Siegenians, ready to embark, met Graffenried in London in July, 1713, he was at the end of his resources, and advised them to return to their homes. This they were unwilling to do, whereupon Graffenried brought them to the attention of Micajah Perry. As it happened, that great merchant had recently seen letters from Spotswood urging the opportunity of profitable mining in Virginia, and, on the faith of that evidence of his interest, was willing to finance such part of the cost of the emigration of the miners as they could not manage themselves, with the understanding, however, that the master of the ship which took them out should deliver them to the Governor and at the same time collect all advanced charges. On this basis they sailed, carrying a letter from Graffenried imploring Spotswood to receive them, put them to work, and, incidentally, to relieve Graffenried of his own obligation.⁴ If surprised by the liberty which had been taken with him, Spotswood was game. He not only met Perry's draft, amounting to £150, but improvised a disposition of the miners.⁵ At a meeting of the Council on April 28, 1714, he reported the arrival of 'Sundry Germans . . . invited hither by the Baron de Graffenreed,' and secured authority to post them above the falls of Rappahannock, on the footing of Rangers, until more definite arrangements might be made.⁶ The energy of the man is now apparent. On May 17th following, he set out from Williamsburg, as he recorded in his official itinerary, 'on 'a fortnight's expedition to Reconnoitre the Norward Frontiers and to fortify a place for Settling a Body of Germans above the Falls of Rappahannock' and then first saw the site of his future residence. In the July following, he reported what he had done:

'In order,' he said,⁸ 'to supply that part which was to have been covered by the Tuscaruros I have placed here a number of Protestant Germans, built them a Fort and furnished it with 2 pieces of Cannon and some Ammunition which will awe the stragling partys of Northern Indians and be a good Barrier for all that part of the Country. These Germans were invited over some years ago by the Baron de Graffenreed who has her Majesty's Letter to the Governor of Virginia to furnish them with Land upon their arrival. They are generally such as have

been employed in their own country as Miners and say they are satisfied there are divers kinds of minerals and even a good appearance of Silver Oar, but that tis impossible for any man to know whether those Mines will turn to account without digging some depth in the earth, a liberty I shall not give them until I receive an Answer to what I represented to your Lo'ps concerning yo'r Ascertaining her Majesty's Share.'

On December 1st, immediately after having proclaimed the accession of George I, his official correspondence returned to his protégés with a courtier's appeal for the license he still needed to put them to the work he intended for them.

'I hope you will please,' he said, 'to renew your instances to his present Majtie with whom (as being a Prince of more knowledge in the nature of Mines than I believe any in Europe) it may be much easier to prevail. . . . It may be some Consideration with his Majesty that these Mines are to be wrought by persons of the same Nation.'

The delay in securing this license forced Spotswood to make more definite arrangements for the support of the countrymen of his new sovereign. As he wrote, he was pushing through the Assembly, in respect to them, a bill, based on the Huguenot legislation of 1700. By this act, which duly became law on December 24, 1714, the new frontier outpost was erected into the parish of St. George and its inhabitants were exempted from all public, county and parish levies for seven years.³⁰ Thus was Germanna founded on the banks of the Rapidan.³¹

It does not appear that the miners were consulted as to what was done with them or, indeed, that at first there was any more definite plan than that they should live by hunting. They were soon set to build a blockhouse, a road and a bridge, but in the earliest description of them in their new home, more than a year after it had been established, there is no suggestion of any organized industry there. John Fontaine³² recorded in his diary in June, 1715:

'About five we crossed a bridge that was made by the Germans and about six we arrived at the German settlement. We went immediately to the minister's house. We found nothing

to eat, but lived on our small provisions, and lay upon good straw. We passed the night very indifferently.

'Our beds not being very easy, as soon as it was day we got up. It rained hard, but notwithstanding, we walked about the town, which is palisaded with stakes stuck in the ground, and laid close the one to the other, and of substance to bear out a musket shot. There are but nine families, and they have nine houses, built all in a line, and before every house, about twenty feet distant from it, they have small sheds built for their hogs and hens, so that the hog sties and houses make a street. The place that is poled is a pentagon, very regularly laid out: and in the very centre there is a blockhouse, made with five sides, which answer to the five sides of the great inclosure: there are loop holes through it from which you may see all the inside of the inclosure. This was intended for a retreat for the people, in case they were not able to defend the palisades, if attacked by the Indians.

'They make use of this blockhouse for divine service. They go to prayer constantly once a day, and have two sermons on Sunday. We went to hear them perform their service, which was done in their own language, which we did not understand: but they seemed to be very devout and sang the psalms well.

'This town or settlement lies upon Rappahannoc River thirty miles above the Falls and thirty miles from any inhabitants. The Germans live very miserably. We would tarry here some time, but for want of provisions we were obliged to go. We got from the minister a bit of smoked beef and cabbage which were very ordinary and dirtily drest. We made a collection between us three of about thirty shillings for the minister and about twelve of the clock we took our leave.'

Apart from its general interest, this is here cited as a testimony that the Siegenians were living at Spotswood's expense without gainful occupation: and so they continued to do for two whole years, until Spotswood became impatient at the uncertainty of the investment he had made in them. He had waited hopefully for the necessary special license to mine silver but now perhaps began to doubt the report, on which Graffenried had acted, that there was any silver ore in Massanutten mountain. One of the objects of the transmontane expedition in the summer of 1716 may well have been to test that report, but in any event Spotswood then saw enough of the Shenandoah Valley to realize that it was not a safe place

to plant a colony for any purpose. In this situation we see him, with a characteristic prompt decision, adjusting his plans immediately on his return from the mountains. John Fontaine records¹³ that when the Knights of the Golden Horseshoe disbanded at Germanna in September, 1716, the Governor 'settled his business with the Germans and accomodated the minister and people.' This was the beginning of the iron industry on the Rapidan.

The miners had reported, immediately on their arrival, that there were evidences of iron ore in the vicinity of Germanna. As, unlike silver, it could be mined without paying a 'royalty' to the Crown, Spotswood now determined to employ his Germans to exploit their discovery. After his return to Williamsburg he took title to the site of Germanna and the ore beds in its immediate vicinity. The patent, dated October 31, 1716, issued in the name of William Robertson, the Clerk of the Council, and called for 3,229 acres, described as 'in Essex County in the parish of St. George, about 20 miles above the falls of Rappahannock river, beginning on the South Side the South River called Rapidanna,' and, a few months later, the Governor acknowledged it as his own.¹⁴ It was then, and not until then, that he diverted from Southside Virginia the remnants of his investment in the recently defunct Indian Company, definitely fixed his interest on the Rapidan, and there built that first famous furnace which William Byrd later described. This fact is of the highest import in the history of northern Virginia, for the consequence was a special stimulus to the development of that territory. The accident of the arrival of Graffenried's miners at a particular moment makes of them, therefore, an object of interest altogether out of proportion to any effect their breeding or personality may have had upon the civilization of Virginia. These good people determined the route towards the setting sun, which was to be taken by thousands who had little interest in them if, indeed, they ever knew of their existence. They were the founders of Spotsylvania.

It was, however, only a short time after the miners began

to work at their trade that a difference arose between them and Spotswood. It appears that, for all the meagreness of his provision during their unproductive period, as reflected on Fontaine's page, the Governor had now shown them special consideration. Meeting a political charge that he was exploiting them, he was able to answer¹⁸ that 'instead of being my tenants they might have been my servants for five years,' thereby referring to the rights of indenture customarily claimed by those who advanced passage money. The miners, indeed, seem themselves to have expected that status for, while waiting in London, they had told Graffenried that, rather than return to Germany, they 'preferred to serve for four years as servants in America.'¹⁹ The agreement, made in September, 1716, was, however, simply that they should work out in wages the advances made and to be made for their importation and support. But now, instigated perhaps by some of the Governor's political enemies who, at that time, were making trouble for him wherever they could, the Siegenians contended that they should of right be vested with the ore-bearing lands they were improving, subject only to the payment of their debt to the Governor. This Spotswood declined to do, whereupon the miners began to look about them for a refuge where they might set up for themselves. Thus they came upon the scene of old Prince William.

During the summer of 1718 a representative of the Proprietor's office must have solicited them to settle in the Northern Neck for they then sent to investigate the crescent settlement on Elk Marsh, above the north run of the Rappahannock. The result was the issue of a proprietary warrant²⁰ 'some time in the year of our Lord 1718' for 1,800 acres to 'Jacob Holtzclaw, John Hoffman, John Fishback, Peter Hitt, Harmon Fishback, Tilman Weaver, John Spillman and several other Germans.'²¹ The land was located and surveyed on Licking Run and was as adjacent to the Iroquois trail as ever Germanna had been. At the moment, this was a post of real danger for the Path was then still frequented by indians, and Licking Run was some three miles from the nearest cabin of the Elk Marsh settlement, across the 'forest' which was the boundary between

Richmond and Stafford; while neither to the east nor the south was there any neighbour for at least ten miles of wilderness."

It seems probable that the Siegenians turned their backs on Germanna in the summer of 1719:²⁰ certainly by the following spring they were established on their Stafford land. The new settlement henceforth was known as Germantown, in distinction at once from Germanna and from Brent Town. The earliest description of it is that published in a newspaper of Frankfort-on-the-Main on June 15, 1720, by Christopher Zolicoffer who was in that city soliciting aid to build a German church in Virginia:²¹

'They together with an old Reformed minister, Henry Hager, 76 years of age, have established a colony in the year 1714 in the said Virginia called Germantown on the Brapenhennck. Here at a well situated place under the sovereignty of Great Britain they support themselves in all quietness by agriculture and the raising of cattle, hoping that they will increase and prosper, especially when within the next year the remaining German families, scattered through their servitude, will obtain their freedom, settle at Germantown and thus strengthen the colony.'

One who was born in the immediate tradition of the founding of Germantown supplements this contemporary picture with convincing details.²²

'The first year at Germantown,' he says, 'they packed all their provisions from Fredericksburg²³ on their heads, and raised their first crop with their hoes²⁴ in both of which their women bore a part. . . . In a few years they had large stocks of tame and very large cattle. I recollect well when my father had many horses nearly or quite wild in the woods about the year 1760.'

He adds that the land grant was laid off in 200 acre plots all facing on Licking Run, and that these were drawn by lot.

As recited by John Fontaine, and later by Zolicoffer, the Siegenians had brought to Virginia with them a pastor of their own Evangelical Reformed faith, one Henry Hager. He fol-

lowed his flock also from Germanna to Germantown and there ministered to it until he died at a great age, in 1738.²⁵ For the consideration of thus entertaining their own minister, the Assembly had exempted the Siegenians from parish levies both in the St. George parish act of 1714 and more generally in the Spotsylvania act of 1720.²⁶ This last exemption was to expire by limitation in 1731, so, in anticipation of that event, Hager's flock petitioned the Assembly for a further extension. The relief they prayed was promptly granted and thus they were officially recorded as residents of Stafford just before they became residents of Prince William.²⁷

It does not appear that Germantown ever had another resident German minister after the death of Mr. Hager. This is made plain by the references to the community in the diaries of the Moravian missionaries who wandered over northern Virginia during the second quarter of the eighteenth century. In November, 1743, one of them records²⁸ that 'in Germantown at the Licken Run . . . a large Reformed congregation lives together' but having only a 'reader . . . his name is Holtzklo,' and depended for religious ministration on annual visits from John Bartholomew Riger, pastor of the Reformed church at Lancaster, Pennsylvania. In 1748 other Moravians²⁹ enlarge the picture:

'They are from the Siegen district and all Reformed people. . . . They have as their reader the old Mr. Holtzklo, who receives annually from each family thirty pounds of tobacco as salary. A church and a school are there. . . . They live very quietly together and are nice people. . . . Germantown is like a village in Germany in which the houses are far apart. . . . There is an open door.'

Bishop Reichel³⁰ passing through Germantown in 1780, comments dryly on the last description, "When one is in the town one asks where the town is.'

This observation indicates more than the German fashion of building a shoe string village: for before the Revolution almost all the Siegenians had abandoned Germantown and scattered up and down the country. The movement began in 1725

when John Fishback took an individual land grant in the fork between Broad and Bull Runs, and in 1731 moved to the White Plains neighbourhood.²¹ In 1730 John Kemper established himself between Great Run and the Rappahannock.²² A little later a more numerous swarm left the hive, when twelve of the Siegenian families, including Hoffmans, Waymans, Coons and Utterbacks, abandoned Germantown and moved to new lands across the Rappahannock, in what was to become Culpeper.²³ As a consequence of these desertions Germantown lost its original character and with it its individuality. Laid down on the Fry & Jefferson map and thence transferred by Thomas Jefferson to his map, the village is ignored by Bishop Madison and the Nine Sheet map because in the interval it had ceased to exist. In 1746 a considerable part of the original tract was sold to the church wardens of Hamilton parish as a glebe;²⁴ the remainder later passed into the possession of the Weaver family and became a large plantation in the Virginia tradition. And so to this day it remains, although again subdivided as appears from Mr. Willis M. Kemper's description of it in 1899:

'At the present time,' he says,²⁵ 'there are descendants of but one of the twelve families living on the Germantown tract. A Miss Weaver and her brother still own about 130 acres of this tract, and it is evidently a part of the tract that was originally set off to Tillman Weaver. The original Weaver house, built of logs, now weatherboarded with poplar, still stands. It was built in 1721, as a poplar board over the door with this date carved on it shows. . . . The present members of the Weaver family say that their ancestor Tillman or his immediate descendants gradually acquired the larger part of the land covered by the patent, and they say that certain parts of it have always been known as the Hitt tract, the Utterbach tract, etc., and that remains of the old houses are occasionally plowed up in the fields to this day.'

The founders of Germantown were, from the first, in accord with the Scotch-Irish who soon became their neighbours. This sympathy grew out of a common tenet of Calvinism and a hankering for the Presbyterian form of church government. In the resulting association many of the children of Germantown

intermarried with English speaking Virginians.³⁶ Their descendants in Fauquier and Culpeper, as well as elsewhere in the United States whither they spread, soon lost the flavor of their German origin, even when they transmitted German names. There has persisted, however, in Fauquier, as, under similar conditions, there has persisted in Loudoun, an element of German origin which has not proven thus assimilable. In the former case this too can be traced to Germantown, but it is necessary to distinguish it from the Siegenians.

In 1717 Spotswood imported to Germanna a second supply of Germans. They came thither from Alsace and the Palatine on the acknowledged footing of servants. It will be recalled that in 1720 it was expected that they might join the Germantown colony, but in the end, when they were free, differences of religion (they were Lutherans and so out of sympathy with the Calvinistic Siegenians) induced most of them to set up, in 1724, their own wilderness colony in what became Madison County.³⁷ It seems likely nevertheless that some of them, in accordance with the original expectation, must then have come to Germantown for thus only can be explained the new German names henceforth found in that community, whose descendants constitute the element in the local population to which reference has been made. There is no record of any land grants in these names and it is possible, therefore, that the late comers were established in Prince William as tenants of the now prospering Siegenians. Being Lutherans, they would from the first have practiced their religion in forms which were strange to their neighbours, while undoubtedly they persisted in their native language after the Siegenians had abandoned it.³⁸ For these considerations they remained 'foreigners' among the surrounding Scotch-Irish. As a consequence, there was active misunderstanding between the races thus brought into contact, which has left its social scars even to this day.

The fault was not all on either side. In 1748 two German speaking Moravians, losing their way on the Carolina road enroute from Germantown to the Potomac, record:³⁹ 'We could get nothing to satisfy our hunger for they are very unkind

people down there in Virginia."⁴⁰ To balance this we have a picture from the Journal⁴¹ of a tidewater Virginia family migrating, in 1817, over the Winchester road from York County to the Ohio:

'We . . . have travelled today 23 miles through the towns of Fredericksburg and Falmouth . . . to the house of one Blackburn who has received us very civilly and there we have taken lodging for the night. . . . We set out from Blackburn's and travell'd 20 miles over some of the roughest road that we have seen at all . . . and came in sight of the mountains. . . . We arrived at Germantown about sunset at the house of one Verone, the only house in town. Verone was not at home but his lady gave us admittance and when he came home from court he said he would rather, as old as he was, and that he was 65, maul rails at 2/ a hundred than to keep public house at the rates he does to take in moving families:—but for all that we staid all night. We wondered at the landlord's spleen for he gave us little but bread and cheese for our money. This morning being very rainy, we willingly would have staid all day, dirty as the place was, but Verone was not willing we should do that, for what reason I do not know. So after preparing our breakfast ourselves, we left the house of old Verone and, although it continued raining and the roads were worse than ever, we prosecuted our journey 9 miles to the town of Warrenton and are now at the house of one William Waters: here we have met with capital fare and courteous entertainment, much more so than our crabbed old friend, Verone.'

This was the last phase of Germantown.

NOTES TO CHAPTER FIFTEEN.

¹ *Ante.*, p. 86.

² This was Spotswood's contemporary description of them on their arrival. In the act of 1714, formulated six months after they had arrived, they are recited as 'forty-two persons or thereabouts.' In 1719 their agent, Zollikoffer, described their band as made up of 'twelve protestant German families consisting of about fifty persons' (Perry, *Church Papers, Virginia*, p. 247).

³ Cuno, *Geschichte der Stadt Siegen*, p. 92.

⁴ Graffenried, *Relation meines amerikanischen Unterfangens* (ed. Todd, 1920), p. 258.

⁶ *Spotswood Letters*, ii, 66, 215. On March 15, 1713/14, Spotswood wrote to Col. Blakiston his agent in London, 'by your letter of the 9th of December, which I rec'd the other day, I perceive you have alter'd y'r opinion by sending over those People, partly at my Charge. This makes me believe you have now greater hopes of her Maj'ts Concessions in that affair for I am confident you would not on any less encouragem't engage me in such an Expence, when besides it seems I run the risque of the same Censure as you say others have undergone, for Transporting Forreigners into these parts.'

⁷ Council Journal in *Va. Mag.*, xiii, 362. It has been argued from this entry that the Germans were enlisted in the colonial service as 'rangers,' but it will be observed that the phrase is 'that they be put under the denomination of Rangers to exempt them from' parish levies. This seems to have been a mere incident of the Governor's plan to transfer to the public treasury the cost of supporting the Germans until they could contrive to support themselves, i. e., in consideration of their exposed post on the frontier allowances could be justified for their account equivalent to rangers' pay. There is no evidence that the Germans ever performed any active military service, or otherwise 'ranged' the backwoods. None of them is recorded as included in the roster of the transmontane expedition of 1716, for which all the available professional Rappahannock rangers were mustered.

⁸ *W. & M. Quar.* (2d Series), iii, 42.

⁹ *Spotswood Letters*, ii, 70.

¹⁰ *Ibid.*, ii, 78.

¹¹ *The two parishes of St. George.* The legislative proceedings are reported in *Journals H. B.*, 1712-26, pp. 79, 87, 116. The act itself is not in Hening, but survives in C. O., 5:1386, fo. 84. Thence it was printed in Trotts *Plantation Laws* (1721) and in that little known compilation, *Acts of Assembly passed in the colony of Virginia from 1662 to 1715* (John Baskett, London, 1727) of which there is a copy in the Charlemagne Tower collection of the Pennsylvania Historical Society. From this last reservoir the Germanna act of 1714 was drawn by Dr. W. J. Hinke and printed in *Kemper Family*, 1899, and *First German Reformed Colony in Virginia* (Journal Presbyterian Historical Society, 1903, ii, 99).

The original parish of St. George lasted only seven years. By the Spotsylvania act of 1720 (C. O., 5:1387, of which only Robert Beverley's incomplete abstract is printed in Hening, iv, 77), the act of 1714 was 'repealed and made void' and it was provided that 'all the said tract and territory of land called by the Name of the County of Spotsylvania shall from and after the said first day of May [1721] be one distinct and entire parish and shall be called and knowne by the name of the parish of Saint George.'

¹² *Homann's map*: The first publication to the world of the site of Germanna was made, on information derived directly from the original German inhabitants, by the map of Homann of Nurnberg, which is attributed to 1720 ('Virginia, Marylandia et Carolina in America Septentrionali, Britannorum industria excultae, repraesentatae a Ioh. Bapt. Homann, S. C. M. Geog. Norimbergae'). Here, with substantial correctness of relative location, 'Germantown, Teutsche Stadt' is indicated by the depiction of a castle standing above the fork, and below the unnamed lower branch, of 'Rappahanock Riv.'

The names 'Germanna' and 'Rapidanna' (*Cf. Patents*, 10:290) like the earlier 'Christanna' (which fort also is indicated on the Homann map)

were all assigned by Spotswood. His crowded hour had been in the days of Queen Anne and he never lost an opportunity to honour her name.

¹² *Memoirs of a Huguenot Family* (Putnam's reprint), p. 268.

¹³ *Ibid.*, p. 290.

¹⁴ *Patents*, 10: 290. For Spotswood's acknowledgment of ownership see *Spotswood Letters*, ii, 215. There were no head rights named in this patent, the equivalent being stated in cash at the rate of five shillings per head right, viz: 'the sum of Sixteen pounds five shillings of good and lawful money for our use paid to our Receiver General.'

¹⁵ *Spotswood Letters*, ii, 217.

¹⁶ Graffenried, *Relation*, ed. Todd, p. 258.

¹⁷ See the testimony in *Spillman v. Gent* in Fauquier County Court, 1759, cited in *Kemper Family*, p. 31. By reason of the closing of the proprietary office soon after the warrant was issued, the grant itself, in the name of John Fishback, Hoffman and Holtzclaw, who had been naturalized and acted as trustees for the others, was not recorded until August 22, 1724 (*N. N.*, A: 63). By custom they were meanwhile in possession of the land under the warrant.

¹⁸ In 1814, quite independently, James Kemper confirmed this list and added to it the names, Kemper, Utterback, Martin, Coons, Wayman, Rector and Handback (*Kemper Family*, p. 40); but Mr. Willis M. Kemper (*Fishback Family*, 1914, p. 36) is of opinion, on the authority of a list recorded in *Spotsylvania W. B.*, A: 69, that Utterback, Wayman and Handback were never part of the Germantown colony.

¹⁹ The location of Germantown is identified historically on the Fauquier map of 1914, near Midland station and adjoining the birthplace of John Marshall.

²⁰ *The Germantown date*: The first conclusive evidence for the actual German settlement on Licking Run is the recital in the land grant of August 22, 1724, that they were then there. This was contemporary with the publication of Hugh Jones' *Present State*, in which it was recorded that they had 'removed up farther.' Next comes the reference in Robert Carter's will of 1726 to his 'Lodge' tract as 'bounding on the Germans.' Carrying the date back, the Tilman Weaver house at Germantown long preserved an inscription '1721' carved upon it and that is the date accepted for the migration by Dr. Hinke. We are better persuaded, however, by Mr. W. M. Kemper's deduction (*Kemper Family*, p. 41), 1719, based on the fact that Zolicofer was in England in October, 1719 (Perry, *Church Papers, Virginia*, p. 247). It seems unlikely that he left Virginia before the Siegenians made their trek.

²¹ This interesting testimony is cited and translated by Dr. Hinke (*Journal Presbyterian Historical Society*, ii, 106). By reason of the reference therein to 1714 and to the Rappahannock (called Brapenhenck), he assumes that it relates to Germanna. But the name Germantown and the description of the Siegenians leading the life of husbandmen (which they only began to do on Licking Run, having been miners at Germanna) is persuasive that whoever wrote the newspaper story was describing Germantown, but confused the two settlements.

²² The autobiography of James Kemper (1753-1834), the first minister of the First Presbyterian Church of Cincinnati, in *Kemper Family*, p. 39.

²³ He means the Falls of the Rappahannock for of course Fredericks-

burg had not then been established. It was to secure access to the market at the Falls that they opened through the woods that 'German Path' which is recited in *N. N.*, F: 39.

²⁴ As most Virginians then did. See *ante.*, p. 121.

²⁵ His will was proved in Prince William court, March 28, 1738 (*Prince Wm. W. B.*, C: 108).

²⁶ Hening, iv, 299.

²⁷ *Journals H. B.*, 1727-40, p. 63; Hening, iv, 306.

²⁸ *Journal Presbyterian Historical Society*, ii, 142.

²⁹ *Va. Mag.*, xi, 233, 241.

³⁰ Mereness, *Travels in the American Colonies*, 1916, pp. 593, 608.

³¹ *N. N.*, A: 160. See post, p.

³² *N. N.*, C: 19; E: 408. These grants issued in the names of John Kemper's children, who were native born Virginians.

³³ This became the German settlement described in 1748 by the Moravian Gottschalk as 'the Little Fork of the Rippehanning' (*Va. Mag.*, xi, 232). The migration seems to have taken place in 1738 after Parson Hager's death when also expired the final exemption of Germantown from parish levies. It explains the use made of the head rights certificates which some of the Germantown colony swore out in Spotsylvania Court from 1724 onward (*Va. Mag.*, xiii, 367). The names of this colony are as well known in Culpeper today, as are others of the founders of Germantown in Fauquier.

³⁴ See post, p. 307.

³⁵ *Kemper Family*, 1899, p. 36.

³⁶ See e. g., the record of the early Kemper intermarriages with the families of Whitesides, Withers, Fisher (Ball), Hathaway and Mauzy in *Kemper Family* (1899). A Holtzclaw of the second Virginia generation married one of the long established Stafford Darnalls (*Tyler's Quar.*, iv, 221). Later a Weaver married a daughter of Benjamin Harrison of Fauquier (*Va. Mag.*, xxiii, 333) and in consequence left his name on the map (Weaversville) not far distant from the now nameless site of Germantown.

³⁷ See Dr. Hinke's discussion of these people in *Journal Presbyterian Historical Society*, ii, 103, 108. Their names are recorded as head rights in Spotswood's patent of 1732 (*Patents*, 14: 381). The documents relating to them are in *Va. Mag.*, vi, 385; xiii, 364; *Cal. Va. State Papers*, i, 208; *Acts P. C.*, Colonial, iii, 455. The most important narrative is that of their pastor, Stover, written in 1737, which is printed in *Va. Mag.*, xiv, 147.

³⁸ Speaking of the founders of Germantown, James Kemper said in his autobiography (*Kemper Family*, p. 46): 'They kept up their worship both public and private in the German language and their schools also, till, being as it were lost in the crowd, the first generation removed by death and all their public political matters transacted in English, their language was gradually lost in the second generation. I spoke a dialect of the German language as used in my father's house till I was ten or twelve years old, but have now almost entirely lost it.'

³⁹ *Va. Mag.*, xi, 242.

⁴⁰ This is, curiously enough, an echo of a phrase used by an indian sachem at the Treaty of Lancaster in 1744. Speaking of the travels of the northern indians to and from the South and the difficulties they had with the frontier Virginians, as contrasted with the Pennsylvanians, he said to the Virginia Commissioners, 'You have some very ill natured people living up there.' See *post*, p. 459 for similar comment by the Baroness Riedesel.

⁴¹ *The Harrisons of Skimino*, 1910.

CHAPTER SIXTEEN

Spotswood Opens the Door

AT the session of the Council on April 20, 1716,¹ Governor Spotswood

'was pleased to inform the Board that some discoveries have lately been made by the Rangers of a Passage over the Great Mountains to the Westward of this Colony and that he intended next August to Send a Greater body of the Rangers upon further discoveries which he Judges may be of Great advantage to this Country.'

Thus was inaugurated the famous transmontane expedition of the Knights of the Golden Horseshoe, which has justly filled the imagination of Virginia. It still stands as the symbol of the end of the era of tidewater plantations, and it gives significance to the subsequent seating of the piedmont as an early episode in the drama which ended on the Plains of Abraham. In that sense it has a place in the pedigree of the lands on the north fork of the Rappahannock almost as important as that which has been claimed for it by the counties on the Rapidan.²

The interest of the earliest record of the summer journey into the forest is that Spotswood did not at first plan himself to go. It was his participation alone which gave that journey a moral significance greater than the previous pathfinding of the anonymous Rangers. Incidentally it determined the route followed. Germanna became the base of the expedition because of the Governor's special interest there. Thus was concentrated on the falls of the Rappahannock the consequent forward movement to occupy the hinterland. This in turn immediately affected the destiny of old Prince William.

Measured by its immediate results, the expedition of 1716 was in itself no more than what the diplomats call a gesture. The Knights left Germanna as John Fontaine³ had found it the year before, 'thirty miles from any inhabitants;' and, so far

as concerned old Prince William, as much can be said of Elk Marsh. Both were still the extreme frontier; the 'thoroughfare of the Rappahannock Mountain' remained a Khyber Pass through which even the hunter hesitated to pass. The ferment had still to work for several years.

It was not until 1720 that, stirred by the Governor's continued insistence upon his far-seeing policy with respect to the French,⁴ by immediate risks of indians, and doubtless influenced by the romance of the transmontane journey, the Assembly created two new frontier counties—Spotsylvania and Brunswick⁵—to include respectively the only two gaps in the Blue Ridge then known to the government, the 'northern,' or Swift Run, gap, where Spotswood had himself transcended the mountains, and the 'southern,' or Roanoke water, gap which had stood open to Virginia at least since 1671.⁶ This action was followed by a petition to the Crown by the Council and Burgesses, declaring their policy to be "to secure our present Settlements from the Incursions of the Savage Indians, and from the more dangerous Incroachments of the Neighbouring French,' and, reciting that 'To encourage People to go up and Seat these two Counties we have exempted the Inhabitants thereof from publick Taxes for the Space of Ten Years: We have agreed to build them churches and Court Houses and to furnish them with Arms and Ammunition at the Public Charge,' prayed the 'Roial Favour of Remitting all the Quit rents of these two Counties for Ten Years."

While waiting for a response to this petition Spotswood again took the lead in the next necessary step: he practised what he was preaching to others. Being still Governor, he could not seemly pass patents in his own name, but he organized two syndicates of his friends to act for him, and promoted a similar investment on the part of other men of means. In this way, in June and July, 1722, the era of large land grants was inaugurated in Virginia. Spotswood himself then pre-empted 68,000 acres on the lower side of the Rapidan;⁷ and (not to rehearse the smaller fry) Cole Digges, Bartholomew Yates, Gawin Corbin and other well known Virginians of that

generation took up between them nearly as much more in the territory which was to become Culpeper.*

It was at this moment that Spotswood proceeded to Albany and took the third and final step necessary to open the door to the highlands. In September, 1722, he negotiated with the Iroquois sachems the treaty under which those palavering politicians agreed to keep their 'young men' on the west side of the Blue Ridge.¹⁰ Thus was forged the effective key to the 'thoroughfare of the Rappahannock mountain.'

When Spotswood returned to Virginia it was to find himself a private citizen, for Drysdale had arrived to supersede him as Governor. He persisted, nevertheless, in his plans for the territorial expansion of the colony. Most of his colleagues in the first adventure of patenting Spotsylvania lands had merely speculated on the chance that the Privy Council would waive the quit rents for a term of years, during which they could dispose of their lands to actual settlers. When that slow moving body indeed agreed to such a principle, but stipulated that it should be limited to individual grants of one thousand acres (subsequently increased to 6,000), most of the earliest speculators dropped out. Spotswood, however, kept on, and, as the Privy Council later found and certified, did 'more than any other Person towards peopling the country.'¹¹ Among the other precedents he set in doing this was one which was soon followed elsewhere, conspicuously in Albemarle: he harked back to the practice of the very beginning of the colony and established a gentleman's residence on the frontier. It was on the Rapidan, far from the comfortable tidewater, that Col. Byrd found him in that 'enchanted castle' where, like Uncle Toby, 'lest we should have forgotten the battles of Marlborough, he fought them all over again for the nine and fortieth time.'¹²

Spotswood soon had neighbours, if not auditors. In 1723, and thereafter, the upper Valley of the Rappahannock was thronged with pioneers seeking new homes. They came through this gateway in such numbers that when, in February, 1727/8, the first Assembly held after the accession of George II, laid out the town of Fredericksburg,¹³ it could be recited that 'great numbers of people have of late seated themselves and their

families upon or near the river Rappahannock, and the branches thereof, above the falls: and great quantities of tobacco and other commodities are every year brought down to the upper landings upon the said river."⁴

What is here most significant to our present study is that the same act provided also, at Robert Carter's instigation, for laying out the town of Falmouth,¹⁶ in what was then King George, on 'land belonging to William Todd . . . situate . . . on the north side of the said river [Rappahannock] about two miles above' Fredericksburg, reciting that 'for as much as the said town [of Fredericksburg] will not be convenient to the inhabitants on the north side of said river for transporting their commodities to and from the same: To the end, therefore, that the same benefits may be extended to them as are before given to the people inhabiting the County of Spotsylvania."¹⁸ From this provision it is apparent that, although the frontier legislation of the decade from 1720 to 1730 was formulated chiefly in the interest of Virginia proper, as distinguished from the Northern Neck, its effect spread northward and caused a new tide of emigration to set in also upon the proprietary back lands.

While this was at first most evident on the Rappahannock boundary of the proprietary, contemporaneously there was a reflex movement above tidewater on the Potomac also. Up the Occoquan, as well as up the Potomac itself, a steady trickle of immigration may henceforth be traced in the land grants. The last chapter of the history of the seating of the piedmont of old Prince William is the record of the meeting and mingling of the several currents of immigration which thus set in thither after 1722. In considering this folk movement, it must always be remembered, then, that it was Alexander Spotswood who opened the door.

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NOTES TO CHAPTER SIXTEEN

¹ Council Journal, C. O., 5: 1416, D., p. 8. See also (in *W. & M. Quar.*, 2d series, iii, 43), Spotswood's official expense account and itinerary reciting that he set out in August, 1716, in pursuance of the information here recited, and incidentally that he was accompanied by '63 men and 74 horses.' The best account of the *expeditio ultra-montana* is that contained in Mr. Armistead C. Gordon's address at the dedication, in 1921, of the Spotswood movement in Swift Run Gap. This is printed in Mr. Gordon's *Men and Events*, 1923. For the route followed, see W. W. Scott, in *W. & M. Quar.*, 2d series, iii 145.

² The history of the development in old Spotsylvania, i. e., the territory on the Rapidan and west of the north fork of the Rappahannock, has been ably recorded. See Dr. Philip Slaughter's *St. George's Parish* (1847) and *St. Mark's Parish* (1877); W. W. Scott, *History of Orange County* (1907). The records of Spotsylvania (1721-1800) covering the settlement of the territory now included in Orange, Culpeper, Rappahannock and Madison, with some early political excursions across the Blue Ridge, are printed as volume one of W. A. Crozier's *Virginia County Records* (1905).

³ *Memoirs of a Huguenot Family* (Putnam's reprint), 268.

⁴ Dinwiddie has bulked large in Virginia history by reason of his Fort DuQuesne politics of 1753, but it was Spotswood who initiated the policy. See his despatch of August 14, 1718, in *Spotswood Papers*, ii, 286, at p. 296.

⁵ The full text of the act survives in C. O., 5: 1387. Hening (iv, 77) printed only Robert Beverley's incomplete abstract.

⁶ For the western explorations of Henry Batt for Col. Abraham Wood, of Fort Henry (Petersburg) in the seventeenth century, see Beverley, *History and Present State of Virginia*, i, 64; Coxe, *Carolana* (1741), 120; *W. & M. Quar.*, xv, 234; Alvord and Bidgood, *First Explorations of the Trans-Alleghany by Virginians* (1912). The Roanoke water gap, through which Col. Wood's explorers reached New (or Woods) River, became eventually the route of 'The Great Road from the Yadkin River' to Pennsylvania, via the Valley, as marked on Fry and Jefferson's map, 1755.

⁷ The petition is recited in *Journals H. B.*, 1712-26, p. 298. See also Beverley's *Abridgement* (1722), p. 163. For the action of the Privy Council see *Acts P. C.*, *Colonial*, iii, 22, 244.

⁸ *The Spotsylvania Speculators*: By a patent dated July 22, 1722 (*Patents*, 11:145), Thomas Jones, John Scott and Richard Hickman were granted 40,000 acres below Rapidan, beginning at the mouth of Russell Run, and surrounding the earlier Germanna patent. By another, dated July 27th following (*Patents*, 12: 433), Richard Hickman had a further grant of 28,000 acres adjoining that last recited. By patents dated April 11, 1732 (*Patents*, 14: 378, 381), both these tracts were recited to have been originally acquired in trust for Alexander Spotswood and were now confirmed to him by special order of the Privy Council in consideration of his services in seating Spotsylvania. It was thus that the Spotsylvania petition of 1724 (*Cal. Va. State Papers*, i, 208) against the ex-governor found colour for its allegation

of the inconvenience of the maintenance of Spotsylvania court house at Germanna, that 'the land for almost Eight or ten miles round the said house (except a small Quantity in the fork of Rappahannock River) belongs to the Hon^{ble} Coll^o Alex^r Spotswood, Esquire.'

⁹ The other speculative patents of 1722 were: the Digges grant of 12,000 acres in the fork of Rapidan, subsequently regranted to John Grymes (*Patents*, 11: 147; 13: 385); the Yates and Latane grant of 24,000 acres on the Rapidan, below Laurel Run, subsequently regranted to Robert Beverley (*Patents*, 11: 147; 13: 408); Gawin Corbin's two grants of 3,000 and 15,000 acres, one 'adjoining the Governor's land' and the other in the fork of Rappahannock (*Patents*, 11: 95, 96).

¹⁰ See *ante.*, p. 87.

¹¹ *Acts P. C.*, Colonial, iii, 168.

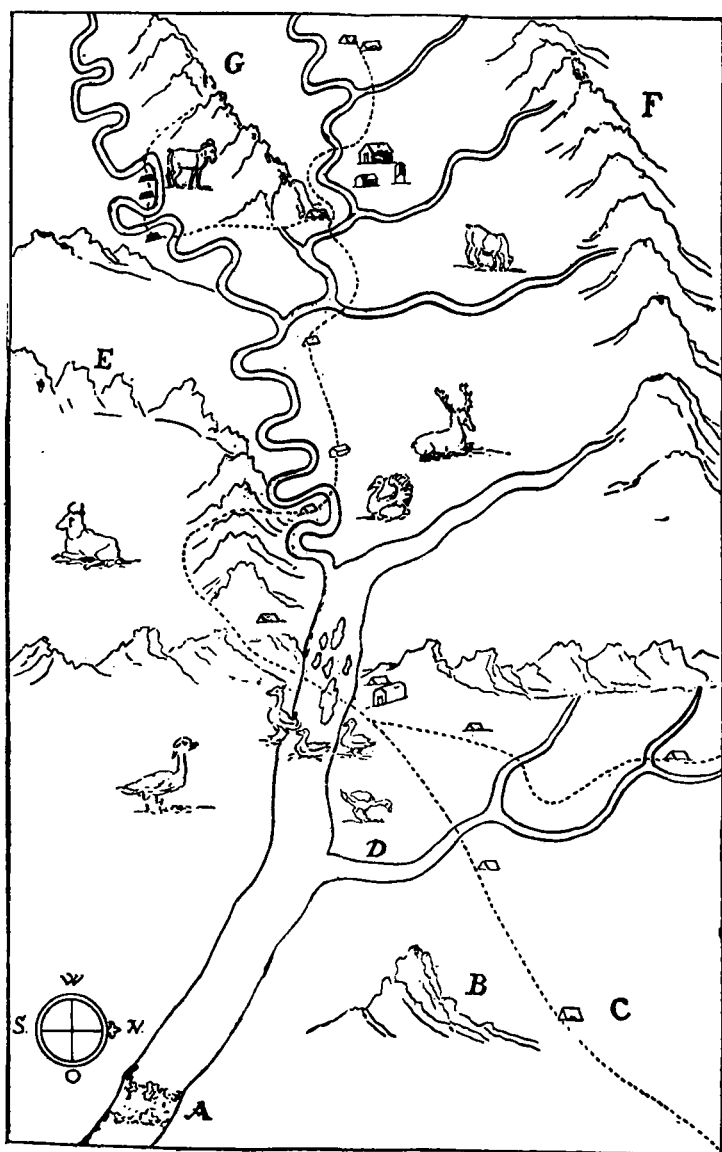
¹² For the classical pictures of Spotswood at Germanna from 1724 to 1736 see Hugh Jones' *Present State; Cal. Va. State Papers*, i, 208; Col. Byrd's *Progress to the Mines and Bounds of the Northern Neck*.

¹³ *The founding of Falmouth*: Henning, iv, 234. Governor Gooch's comment (*C. O.*, 5: 1321, p. 79) upon the necessity of this act is illuminating. He recites that the inhabitants above the falls being 'obliged to bring their Tobacco to the first landings where the River is Navigable * * * their industry has been hitherto much discouraged for want of convenient Storehouses to lodge their Commodities and much more for being deprived of the opportunity of selling the same to advantage, the land on both sides that part of the River being held by private Persons who not only exacted exorbitant prices for Storage, but endeavoured to engross the whole Trade to themselves, since no other Merchant could settle there without the Consent of the others which was not to be obtained.' Fifty acres was accordingly condemned on each side of the River and laid off in lots, the owners being paid 'forty shillings for each acre which in truth is four times as much as land in these parts commonly are sold for.' The land-owners attempted to secure a veto of the act by the Crown, but eventually acquiesced.

¹⁴ *The migration from tidewater*: A contemporary petition from Middlesex gives a curious testimony of the other side of this picture, the effect of the migration on the lower tidewater. Here, in 1727, it could be recited (*Cal. Va. State Papers*, i, 213) that: 'The number of whites in that county [Middlesex] is very small, the proportion to Blacks hardly as one to three and much less in the lowest and first exposed part. The meaner sort of the people (in whom consists the strength of all Countrys), are daily moving higher up, so that there is some danger of this Extream part of the Country being entirely abandoned by them.'

¹⁵ *The Falmouth records*: In 1922 Mr. H. G. Lightner of Falmouth had in his possession, much mutilated, the original minute book of the Trustees of the Town of Falmouth, including the meeting for the organization of the town on June 19, 1728, and thence forward with wide intervals to 1813, when the town ceased to exist and the functions of the trustees were transferred to the county court of Stafford. Incomplete as it is, this book is believed to be a unique survival of such a document for an eighteenth century Virginia town. The minutes are intact only from 1780 to 1813, but there is valuable material from 1764 to 1777. Perhaps the most significant deduction one can draw from it is that the Carter family interest was predominant in the town from its organization until the Revolution.

¹⁰ Fredericksburg was intended to be the mart of the people living south of the Rappahannock; Falmouth that of the people of the Northern Neck. This distinction was maintained. The sphere of commercial influence of Fredericksburg (see e. g., the territory in which its tobacco notes were current in 1776, Hening, ix, 154) was always westward along the route of Spotswood's transmontane expedition which was later followed by the Swift Run gap turnpike and, eventually, (as far as Orange Court House) by the narrow gauge Fredericksburg and Gordonsville railroad, which was built after 1853 (*Acts* 1852-53, ch. 165, p. 136).



MICHEL, 1707.
The Potomac above the Falls.

CHAPTER SEVENTEEN

The Scotch-Irish

CATHERINE CULPEPER, Lady Fairfax, died in May, 1719, and was succeeded as Proprietor of the Northern Neck by her son, Thomas, sixth Lord Fairfax. At the moment the resident agent in Virginia, Edmund Jennings, having three years before superseded his nephew, Thomas Lee, in the business of the estate, was beginning to show his age. After a career of the highest official distinction, capped with the honour of serving as acting Governor of the colony during the interval between the death of Nott and the arrival of Spotswood, Jennings, *de guerre lasse*, though still tenacious of perquisites, had become an arm chair statesman. When the proprietary office was necessarily closed by the demise of the title, the details of its administration, which vitally concerned all the people of the Northern Neck, had been for some time so neglected that those who had to do business there were beginning to complain of irregularities.¹ In this situation, after some delay, Col. William Cage, the trustee named in Lady Fairfax's will, turned again to Micajah Perry for help and he persuaded Robert Carter to agree once more to assume the agency. It is significant that Col. Carter re-opened the proprietary office in Virginia in December, 1722, or precisely at the moment when the ratification of Spotswood's treaty of Albany had made the highlands of Northern Virginia safe for democracy. Col. Carter now began to do literally what the later frontier saying denominated 'a land office business.'

Among his importations into the Northern Neck the most conspicuous, because the most numerous, body of names have a strongly celtic flavor. They are as different from the names of the pioneers of Elk Marsh as they are from those of the pioneer planters on the Potomac. They represent the introduction of an important new chemical into the Virginia melting pot; to vary the metaphor they were part of the vanguard of that

'Scotch-Irish' immigration to America which was destined to make a deep impress on national character.

In 1723 Virginia had been receiving immigrants from Ireland for no more than a quarter of a century. In 1671 Berkeley had reported² that 'yearly we suppose there come in of servants about 1,500, of which most are English, few Scotch and fewer Irish.' The important movement from the Emerald Isle began after the battle of the Boyne. The first to come were south of Ireland Catholics who gave the Virginia people a concern, of which there remains a curious testimony. In May, 1699, Governor Nicholson submitted to the Assembly certain instructions from the Crown as to legislation. Among other things, it was provided that 'all Planters and Christian Servants be well and fitly provided with Armes and that they be listed under Offycers.' To this the Assembly objected,³ urging, doubtless with some exaggeration,

'it is to be considered that the Christian servants in this Country for the most part consist of the Worser Sort of people of Europe, and since the Peace hath been concluded such numbers of Irish and other Nations have been bro^t in of which a great many have been Soldiers in the late warrs that, according to our present circumstances we can hardly govern them. And if they were fitted with Armes and had the Opportunity of meeting together by musters, we have just reason to feare they may rise upon us. And if there should be any occasion for the defence of the Country (which God forbid) to make use of them, 'tis much to be doubt^d that for the sake of their fredome and the difference of the Religion of a great many of them (especially the Irish) and for other reasons they would rather be our Enimies than contribute to our assistance.'

The servants so described explain many pure Irish names in Virginia, but they are of less significance than that racially quite distinct immigration which soon followed them and had in common with them only the fact of recent residence in Ireland. It is familiar and oft repeated story of how William III planted the lands of dispossessed Catholics in the north of Ireland with protestant Scots and how, at the end of a gener-

ation, many of them were compelled once more to seek new homes. Lecky sums up the immediate economic causes of this second move. It is one of the many chapters of England's blundering in dealing with her Irish problem:

'The Protestant emigration, which began,' he says, 'with the destruction of the woolen manufacture, continued during many years with unabated and even accelerating rapidity. At the time of the Revolution [of 1688] when great portions of the country lay waste and when the whole framework of society was shattered, much Irish land had been let on lease at very low rents to English and especially to Scotch Protestants. About 1717 and 1718 these leases began to fall in. Rents were usually doubled and often trebled. The smaller farms were generally put up to competition and the Catholics, who were accustomed to live in the most squalid misery and to forego all the comforts of life, very naturally out-bid the Protestants. . . . Some of them passed to England and Scotland. Great numbers found a home in Virginia and Pennsylvania.'

These newcomers were, of course, more welcome in Virginia than their Catholic predecessors. Most of them paid their passage to the colonies by binding themselves to work for four or five years after their arrival and thus became indenture men in the Virginia tradition. They did not all come willingly. Hugh Jones records that when he wrote in 1724, Bristol and Liverpool tobacco ships 'often call at Ireland to victual and bring over white Servants . . . commonly called Kids,' and thus reveals that kidnapping was a usual aid to emigration.⁵

In 1723 the earliest of these Scotch-Irish immigrants would have served their indentures and the testimony of their names on the land books shows that when Col. Carter took up the task of seating the still unoccupied territory between Brent Town and Elk Marsh he recruited among the Scotch-Irish most of those he was able to establish in the proprietary. During the years, 1723, 1724 and 1725, he made to them no less than seventy grants in small parcels of from one hundred to three hundred acres, aggregating about 15,000 acres, be-

ginning on the lower branches of Cedar Run and in the 'forest' at their sources. Many of this first flight seem to have come into old Prince William from the Rappahannock plantations. They promptly began to plant tobacco in the clearings they made on their 'low grounds' on Town and Elk Runs, as is evident from the fact that as early as October, 1724, a land grant recites the existence of a 'Cedar Run Rowling Road' leading thither, while in 1726 another refers to 'Robert's Rowling Road' on Deep Run.

The success of this preliminary seating, of what had recently been the wilderness, must have convinced Robert Carter that he could extend the process indefinitely; for what he did next indicates an intention to capitalize successive crops of graduated indenture men. It was in July, 1724, that he inaugurated that progressive reservation to his own use of the 'great tracts' which we shall soon enumerate, by surveying and staking out the lands above Licking and on Cedar and Kettle Runs, which balanced the Elk Marsh settlements as far as they had then extended to the north. The purpose was to plant these new 'manors,' as the area south of Brent Town had already been planted, with Scotch-Irish, but with this essential difference that the next posse of pioneers should find themselves Col. Carter's liberally financed tenants rather than individualists struggling alone in the wilderness. It was in this conception, apparently at once statesmanlike and shrewd, that Col. Carter made one of the few capital mistakes of a long and fortunate career.

Before the end of 1726 there duly arrived in Stafford a new swarm of home-seeking Irish. They came this time from both the Potomac and the Rappahannock plantations. Col. Carter's surveyors and agents welcomed them cordially, but, warming from condescension to blandishments, found to their surprise that the newcomers were unwilling to seat themselves anywhere except on an estate of inheritance; they would be no man's tenants. Making their way up Cedar and Broad, they pushed through the choice 'quarters' Col. Carter had designed for them, until they reached the unappropriated foothills of the 'Occoquan Mountains,' as the Rappahannock and

the Bull Run ranges were then inclusively called. Here they could and did take up small holdings on the same terms as Col. Carter took up his great ones, and in that process they scattered. Some turned west up the main run of Great, and around the base of the Rappahannock range to the lower side of Carter's Run; but more went due north into that narrow valley, between the 'Broken Hills,'⁹ and Pignut, where, in 1762, their sons became Baptists and established on Barker's branch that Broad Run Church which was the first non-conformist meeting house in this part of Virginia.⁷ It is, however, a curious fact that while surveys were made for the Irish in 1727 at the base of the Watery Mountain,⁸ few of them then passed into the highlands through that inviting 'thoroughfare of the Rappahannock Mountain," where Cedar Run has its spring.

This new element in the civilization of the Northern Neck was now relatively numerous and gave the characteristic colour to the 'back inhabitants' of Prince William on the organization of that county. The government at Williamsburg was doubtful of them from the first and looked upon Robert Carter's activities as an immigration agent with a somewhat jaundiced eye: in which respect, as it happened, it soon was justified.

The new planters, lacking the means to buy negroes, drew to their aid in their agriculture that form of labor, which, while it was the cheapest, was also morally the most degrading, namely the convicts. Their little plantations thus became hot beds of turbulent opinion. It was among them that were hatched most of those plots to defeat the purpose of Gooch's tobacco law which inculcated in the bosom of that good Governor so low an opinion of the population of the Northern Neck. The proof of all this is ample in the record of the Prince William insurrection of 1732, which has survived in the minutes of the Council,¹⁰ a record of sufficient significance here to quote at length:

'1732, March 26. Whereas the Governor was this day pleased to communicate to the members of his Majys. Council

now present, a letter sent him by express from Coll. Thomas Harrison, of the County of Prince William, advising that a number of the meaner sort of people of that county, consisting of fifty men, were got together in arms, designing, as they gave out, to destroy the public warehouses in that and the adjacent counties, expecting to be joyned by other malecontents from the neighbouring counties in the Northern Neck: It is the opinion of this Board that for the more effectual suppressing the said insurrection it is necessary that orders be forthwith issued to the commanding officers of the militia in the Northern Neck to call together the several troops and companies under their respective commands, and cause to be read to them an Act of Assembly for establishing the Militia, and to acquaint them that this is such an insurrection as they are bound by that act to suppress under the penalties therein mentioned; and in case the mutineers in Prince William County should presume to continue in arms, that they then march against, and endeavor to suppress them; And that the like orders be issued to the commanding officers of the militia on this side Rappahannock River to take all necessary measures for preserving the peace of their counties and for obstructing the passage of any number of men from the Northern Neck who shall attempt to cross that river, and in like manner to seize and secure all such as they shall find going about to stir up the people to mutiny or disobedience to the laws, sending from time to time to the Govr. accounts of their proceedings, to the end that they may receive his further directions therein.

'May 2. On reading the petition of James Bland, John Shuemack, Thomas Furr, and others concerned in the late insurrection in Prince William County, humbly acknowledging their offence and praying pardon for the same: It is the opinion of the Council that before the petrs. be received into the benefit of his Majesties pardon, they ought to appear before this Board to answer such matters as they shall be interrogated on touching the design of their tumultuous and unlawfull meeting wherein they were engaged, And it is accordingly ordered that the sheriff of Prince William County summon the said James Bland, Thomas Furr, and Thomas Furr the younger, together with Henry Filkins" of the said county, to attend this Board at the next court of Oyer and Terminer, held the second Tuesday in June, and that all the other persons concerned in the said insurrection, upon their giving security for their future good behavior for one twelve month and one day, before the court of the said County of Prince William, be discharged from all further prosecution for their aforesaid

offence; And the Justices of the said County of Prince William to notify the same and to take recognizance accordingly.'

This record is an important testimony to the student of the social history of old Prince William; for the names of many of that band of fifty insurrectos are still to be found in the tax books of northern Virginia. Like the English who followed Nathaniel Bacon, these immigrants from Ireland, once they had set up as planters for their own account, had the defects of their qualities, as their descendants still have. Undisciplined, passionate, prejudiced, they were and ever have been malleable in the hands of the demagogue; but in 1732, as in 1776 and 1861, they showed themselves self-reliant and ready to fight against odds, as the saying is 'at the drop of the hat.' Their failures, which have been many, may usually be attributed to the leaders to whom they have given unreasoning loyalty.

NOTES TO CHAPTER SEVENTEEN.

¹The complaints reached the Assembly in 1720 (*Journals H. B.*, 1712-26, p. 288); but see Spotswood's friendly comment on Jenings at this time in relation to the office of Secretary of State (*Spotswood Letters*, ii, 344). Jenings was deeply in debt to Micajah Perry and never succeeded in extricating himself, so that he died a broken man, after having been passed over for a second tour as Commander-in-Chief upon Drysdale's death, and after Robert Carter had foreclosed a mortgage upon his seat, 'Rippon Hall,' in York (*Va. Mag.*, vi, 10).

²Hening, ii, 515.

³*Journals H. B.*, 1695-1702, pp. 138, 188.

⁴*History of England in the Eighteenth Century* (1883), ii, 260.

⁵*The Kids*: The sea captains hunted protestant 'Kids' preferentially, because they brought a higher price in the colonies. A Parliamentary committee (quoted by Lecky, ii, 261), reported in 1735, 'it appears to your committee that Thomas Cumming and his accomplices have been guilty of great barbarities and violence towards many Protestant passengers seduced and taken by him on board the ship called the *George of Dublin* bound for North Carolina.' See also the curious traditions of the Eskridge family (*Va. Mag.*, vii, 434) as to how their immigrant ancestor, who rose to high station, made his first appearance in Virginia as a 'Kid' from Wales.

⁶The land grants show that the northward and westward faring Virginian invariably so called the first unusual elevations he encountered. See, e. g., Pond Mountain described as the 'Broken Hills' in a grant of 1725 (*N. N.*, A: 149) which in 1731 (*N. N.*, C: 155) on

better acquaintance became 'South Run Mountain, before it assumed its present name.

⁷ Semple, *Baptists in Virginia* (ed. Beale, 1894), 378, 406, 408. Groome, *Historical Notes of Fauquier*, 1914, p. 14. It may be noted that the records of Broad Run church show the admission of Nancy Hanks in 1778 and Luke Hanks in 1779 and that in 1785 they moved to Carolina. They were of the maternal family of Abraham Lincoln.

⁸ It is first so named in a grant of January, 1726/7 (*N. N.*, B: 39).

⁹ The designation first appears in a grant of 1728 (*N. N.*, B:123).

¹⁰ *Council Journal* in C. O., 5: 1420, pp. 79, 85.

¹¹ Thomas Furr was one of the original Scotch-Irish settlers below Brent Town in 1723 (*N. N.*, A: 17). James Bland and Henry Filkins had been seated side by side on Occoquan since 1715 (*N. N.*, 4:48; 5: 65).

CHAPTER EIGHTEEN

The Barrier of the Manors

THE origin of those 'manors' which long controlled the development of old Prince William may be found in the privilege, claimed by the resident Northern Neck agents from the earliest days of the proprietary, of appropriating each one for himself a liberal grant of waste lands. In that category may be placed progressively Nicholas Spencer and the rape of Richard Lee's lands later known as Mt. Vernon; George Brent and the additions to the Piscataway Neck estate; William Fitzhugh and Ravensworth; Robert Carter and Richland. If no grants to Philip Ludwell and Thomas Lee were recorded during their respective agencies, when their kinsman, Edmund Jennings, had control of the books Ludwell's son and Lee both took their fill: their previous reticence does not seem to have been due to any principle.² There is no surviving record to testify whether the Proprietors waived composition or quit rents in these cases. If they did, the concession might be considered as compensation for service, but, to the extent that they did not, the agents were on the same footing as any other grantees: the larger the grant the greater the return to the Proprietor in composition and quit rent. On either of these bases there could be no reasonable criticism of the agents by the Proprietors unless the privilege was obviously abused. It remained for Robert Carter, during his second agency, to stretch it to its elastic limit.

During the agency of Brent and Fitzhugh it befell those worthies to incur the displeasure of Robert Carter by refusing him a grant of the escheat of a parcel of land in Lancaster which had been a Natoth's Vineyard within the broad Carter acres. Accordingly, when Carter became Chairman of the Committee of Propositions and Grievances in the Assembly of 1695 he saw to it that the 'Inhabitants' of the Northern Neck lodged with the House of Burgesses another of the long series

of legislative protests against the proprietary. The able Chairman proceeded to dress up this particular one in a report from his Committee which animadverted vigorously and eloquently upon 'the strange and exorbitant practices' of the Northern Neck agents. He raked them generally and specifically, and in due course moved the House to adopt his screed as an address to the Crown.³ The House *Journal* shows that Carter had the support of his colleagues, but the record suddenly ends without definite action: the Council apparently declined to concur. This abortive Address of 1695 is thus of value to the historian chiefly as showing what Robert Carter thought of the proprietary before he, himself, had the responsibility of its management. In view of his own subsequent performance it is entertaining to find that one of the counts in the indictment was that

'for lands lapsing for wante of Seating, none such will happen, for in the conveyances of the sd. Lds. Agents there is not any Limitation upon that accounte, and accordingly a man may hold 50,000 or more acres of land by a secure title, and that without so much as actually seating or building upon any part of it.'

When Col. Carter himself became the proprietary agent in 1702 he apparently still entertained these sentiments, for, with the exception of Richland, he then acquired no wilderness land. At all times still the largest landholder in the Northern Neck, his acquisitions before the beginning of his second agency in 1723 were consistently of tidewater plantations already seated and in profitable operation.⁴ In this way his influence had extended from Corotoman up the Rappahannock, past the falls and the great fork to Deep Run, and across the Northern Neck proper to the Potomac; and thence up that river also via Nomini to and including Governor Matthews' early dividend on Chipawansic.⁵ Now, in the twinkling of an eye, he changed his policy. From the carefully nursed stock of tags of latin verse which he preserved from his youthful studies in the *Janua Linguarum Trilinguis*

Col. Carter doubtless justified what he did by quotation of the wise saw '*tempora mutantur.*'

Conditions had, indeed, changed in a quarter of a century. In the seventeenth century there were no estates of '50,000 or more acres of land' below the Rappahannock, but by 1725 there were several. The example of the earlier Northern Neck agents had not been lost on the land hungry Virginians. As early as 1701 the Assembly passed an act authorizing the organization of land companies to acquire and seat holdings of as much as 30,000 acres of frontier land,⁶ but it waited for the hand of Alexander Spotswood to give this policy effect and he boldly multiplied the units. As we have seen, the eponymous hero of Spotsylvania created and undertook to seat in that frontier county a domain of unprecedented size, surpassing in extent, if not in value, even the existing Carter holdings. This example stimulated in Col. Carter's heart the element of original sin which the Roman Church calls the *libido excellendi*. His renewed relation with the Northern Neck proprietary gave him the opportunity to gratify this human appetite; and the land grants reveal him blooming out in a single year as the greatest individual owner of backwoods lands in the Dominion. It was thus that Robert Carter truly became a 'King.'

Immediately after the first of the Scotch-Irish were seated below Brent Town in the spring of 1724, Col. Carter surveyed and set aside, as inheritances for his children and grandchildren,⁷ the unoccupied lands which lay between Brent Town and the Elk Marsh settlement—the lands which it was then fair to assume would be the next to be occupied in the course of another season of immigration. Once started, he went on up the Shenandoah Hunting Path (soon to become the Carolina Road) until, before the end of the year, he had taken grants for 89,937 acres, stretching all the way from Licking Run, across Cedar and Broad, between the north end of the Brent Town tract and the 'Broken Hills' (Bull Run Mountains); and thence, skirting the hills on the east, up the Bull Run valley to its head.

These six great tracts were as follows:

I. 1724. Lands later included in Fauquier and Prince William:

(a) *The Licking Run tract*⁸ of 10,227 acres, which lay along and east of Licking Run, above Germantown and across Owl and Turkey runs, to what was then supposed to be the western boundary of the Brent Town tract.

(b) *The Turkey Run tract*⁹ of 10,610 acres, which lay immediately above the Licking Run tract.

(c) *The Kettle Run tract*¹⁰ of 6,166 acres, which lay next above the Turkey Run tract.

(d) *The Broad Run tract*¹¹ of 12,285 acres, which lay above the Kettle Run tract in the fork of Broad Run under the eastern escarpment of the Bull Run mountains at Thor-oughfare Gap.

(e) *The Bull Run tract*¹² of 41,660 acres, which lay above the Broad Run tract, across the upper waters of Bull Run, reaching to the Bull Run mountains.

(f) *The Lower Bull Run tract*¹³ of 8,989 acres, in two parcels, which lay east of the Broad Run tract, across the lower waters of Bull Run, adjoining the lands above the falls of Occoquan which Col. Carter had taken up in 1707.

In making these appropriations to his own use, Col. Carter may well have been sincere in feeling that he was acting also in the interest of Lord Fairfax. The acreage was, of course, larger than any precedent in the Northern Neck, where, until then, Brent Town and Ravensworth had been unique; but 'times had changed' and in 1724 Col. Carter did not greatly exceed the scale of the contemporary individual landholdings in Spotsylvania; and was well within the limits of the claims of the Virginia land companies of the next succeeding generation. It must be remembered that it was during Robert Carter's life that the Privy Council adopted and announced the policy of approval of large landholdings by those who were able to seat them. The convincing argument on this question was well stated by Governor Gooch:¹⁴

'Without taking up these large Tracts,' he said to the Lords of Trade in a despatch of November 8, 1729, 'upon which great improvements were necessary to be made, these Counties would not have been settled so speedily as they have been, and much of that land which has been seated in small

Parcells would in all probability have remained to this day desolate; as may be seen in the County of Brunswick which, having but few great Tracts of Land taken up in it by men of Substance, hath advanced very little in the number of its inhabitants in proportion to the other County, Spotsylvania, where the greatest Tracts have been granted & possessed and thereby given encouragement to the meaner sort of People to seat themselves as it were under the shade and Protection of the Creator.'

In any event, Col. Carter was undoubtedly justified in a feeling that so long as the quit rents increased there could be no objection from the Proprietor. That worthy was, indeed, little interested in his Virginia estate at this time except as a source of income. Although his career as a courtier had already suffered its blight and at the age of twenty-eight he had retired to the more congenial occupations of fox hunting and hound breeding at Leeds Castle, Lord Fairfax had as yet no intention of burying himself in the Virginia wilderness. He was, indeed, so absorbed in his immediate concerns that he did not answer letters from Virginia. When, in 1722, Col. Carter called his attention to the encroachments upon the proprietary by the Spotswood appropriations of land in the Great Fork, the meticulous man of business was in despair because he got no response of any kind.

'I never had one Line from the Prop^r about this matter,' he wrote to Micajah Perry in July, 1723.¹⁸ 'If they do not think fitt to bestirr themselves in the support of their own Estate I shall have little Reason to give myself any trouble, in throwing myself into the ffrowns of Government. As their Trustee I have done my duty in hanging out Lights for them.'

In view of this experience, Col. Carter may not have expected any notice to be taken of his reports for 1724, but it seems likely that in this he was mistaken; that either Fairfax or Col. Cage then took occasion to remark that the Carter's estate was growing somewhat rapidly and that an adjustment of the relation between principal and agent was in order. At all events, it appears that in 1725 Col. Carter took a lease of the

entire proprietary, including a 'farm' of the quit rents, for a fixed rental of £450 per annum.¹⁶ The loss of this instrument leaves us no other evidence of its terms, but it is clear that it did not impose any limit upon the lessee in the matter of further reservation of lands to his own use. As soon, indeed, as the Potomac settlements above Difficult began to extend inland upon the southern waters of Goose Creek, Col. Carter undertook surveys on that new frontier also, and during the two years, 1727 and 1728, set aside to his own use another 52,000 acres, reaching from the headwaters of Broad of Potomac up and above Goose Creek as high towards the mountains as Crooked Run. Still unsatisfied, in 1730 he transcended the Blue Ridge and staked out 58,000 acres of limestone lands above the Shenandoah River. Finally, in 1731, the last full summer of his life, he completed his appropriations by occupying both the Blue Ridge gaps, which the Iroquois had demonstrated were strategically valuable.¹⁷ These acquisitions were in detail as follows:

II. 1727 and 1728. Lands later included in Fairfax and Loudoun:

(a) *The Goose Creek tract*¹⁸ aggregating 25,909 acres in several parcels, beginning 'on the upper side of Goose Creek at the upper end of a ledge or cliff of Black Rocks about 6 or 7 miles above the mouth of said creek,' and including the lower end of the fork between Beaverdam and the main run, and thence west along and above Goose Creek across the present Fauquier and Loudoun boundary to a back line stretched between Panther Skin and Crooked Run. It was within this tract that the 'Oatlands' estate was subsequently established.

(b) *The Frying Pan tract*¹⁹ aggregating 27,000 acres in several parcels, extending from Frying Pan run of the Horsepen of Broad, south to the 'copper mine landing' on Occoquan. The largest parcel of these lands on the Horsepen of Broad adjoined the extensive areas, already preempted and bodied up by Thomas Lee, George Turberville and others; which aggregation early gave its 'manorial' character to the lower side of Goose Creek.

III. 1730 and 1731. Lands on and beyond the Blue Ridge:

(a) *The Shenandoah tract*⁸⁰ of 50,212 acres in one parcel 'on the northwest side of a branch that issues out of Potowmack River on the upper side the Blue Ridge, commonly called Chenandoah Creek.'

(b) *The Pageland tract*⁸¹ of 8,007 acres in one parcel adjoining the Shenandoah tract: being the lands granted in the name of Col. Carter's son-in-law, Mann Page of Rosewell, and mentioned in the latter's will.

(c) *The Williams' Gap tract*⁸² of 2,941 acres 'at the lower thoroughfare of the Blue Ridge known by the name of Williams' Gap, alias the Indian Thoroughfare of the Blue Ridge, including the same and the top of the ridge.'

(d) *The Ashby's Bent tract*⁸³ aggregating 4,207 acres, in two parcels, 'at the upper Thoroughfare of the Blue ridge, known by the name of Ashby's Bent and including the same.'

During the same summer of 1731, which saw the rounding out of the Carter holdings, two of Col. Carter's neighbours in Lancaster, Charles Burgess⁸⁴ and James Ball of Bewdley,⁸⁵ followed him into the highlands and thenceforth were engaged in surveying and taking up great grants adjacent to the Carter lands until the proprietor's office was closed by Col. Carter's death. Between them they projected the band of great tracts from the Carter terminus at Ashby's Gap south to Hedgman's river and so almost completed the circle Col. Carter had begun on Licking Run.

Col. Burgess had previously been speculating in lands in the territory which became Culpeper, and now crossed Hedgman's river at one of the upper fords to take title to more than 23,000 acres in six parcels extending from the mouth of Thumb Run, via the Cobblers, to the source of Goose Creek in what was then known as Calmes' Gap. The last of these grants included the stripling Goose Creek itself, as far down as the mouth of Chatten's Run.⁸⁶ Contemporaneously, Capt. Ball took title in the same region to 10,757 acres in three parcels: (a) between the Blue Ridge and Crooked Run, from Ashby's Gap to Goose Creek, adjoining Carter; (b) the Horsepen on the ridge between the head of Piney Branch of Broad of Occoquan and the heads of Little River, Crummey's and Chatten's Runs; (c) the 'Great Cove' under Rattlesnake and Oven top Mountains.⁸⁷

As a consequence of these activities of Robert Carter and his friends, by far the greater part of the highlands had been preempted when, in the spring of 1736, Lord Fairfax reached Virginia and faced the problems of the future of his estate. The Proprietor fully realized that he was at the moment *persona non grata* with the ministry at home and that it was possible, if not probable, that, unless he could postpone a decision, the Privy Council might uphold the contention of the Virginia government on one or the other of its demands. His danger was that his proprietary might be confined either (a) within a line drawn from the falls of Rappahannock to the mouth of Shenandoah or (b) within Hedgman's River and the Blue Ridge. Fairfax determined without delay to insure this risk by changing, so far as he was able, the legal status of the territory lying beyond Col. Byrd's extreme claim. After studying the grant books and riding the boundaries he found that the most considerable area below the Blue Ridge which was not already substantially in the hands of a few men was the hill and dale region lying along Hedgman's River above Carter's Run. Of this he decided to take an individual grant in his own name, and at the same time to reserve from further entry also a large body, above Difficult and back of the Great Falls of Potomac, of what was then deemed mineral lands. These boundaries were to be saved, whatever might be the result of the litigation with Virginia. For these considerations, as his last act before returning to England in the autumn of 1737, Fairfax created his first proprietary manors. There were to be others like them set up beyond the Blue Ridge in the years to come, but the originals of an institution which was destined to stir much republican oratory were those which lay in old Prince William, viz:

*Leeds Manor*⁸⁸ of 122,852 acres, extending from the mouth of Carter's Run, up Hedgman's River to Happy Creek Gap, thence across the Blue Ridge to the Shenandoah, down that river, and back via Ashby's Gap and the Carter, Ball and Scott boundaries to Carter's Run.

To this was added another parcel of 26,535 a. on the lower side of the Shenandoah, including the Blue Ridge between the Carter grants at Ashby's and Williams' gaps.⁸⁹

*Great Falls Manor*³⁰ of 12,588 acres on the upper side of Difficult, extending from its branches to the Great Falls of Potomac.

Thus it befell that the only considerable area of old Prince William left open for small freehold occupation after 1737 was the White Plains.

In his first contact with the proprietary, Fairfax had developed an enthusiasm for colonization. He then criticised Col. Carter, not so much for the extent of his holdings as for allowing them to fall into the dead hand.³¹ But the decisions we have recited, if made for a different reason, served only to aggravate what Carter had previously done. The fact is patent to every student of the records of Fairfax, Fauquier and Loudoun that the 'great tracts' had a deterrent influence upon the development of those communities quite beyond any purpose, or, indeed, the interest, of their proprietors. When, soon after 1737, the northward advance of the axe-wielding pioneer had brought the fringe of the forest clearings to all the boundaries of the Carter and Fairfax estates, the hitherto steady and progressive movement of settlement of the piedmont was checked by a palpable barrier. The reason is not far to seek, for Robert Carter had demonstrated it on Turkey and Kettle Runs in 1725. The 'great tracts' were uniformly administered as 'manors.' It was the practice within these boundaries to seat settlers only under leases for three lives, and not to convey the proprietary title.³² After 1730 the prairies of the Shenandoah Valley were open to Virginians as well as to Pennsylvanians and there, for the same consideration demanded of them in the 'manors,' they could secure a grant of inheritance. The result was that for many years after 1740 most of the settlers from the South crossed the mountains and left the piedmont to others who were still to come. Dr. Schoepf, riding south over the Carolina road in 1783, through the Carter lands, observed the phenomenon and learned the reason for it.

'Along the road,' he said,³³ 'it was matter of no little astonishment to see so much waste or new cleared land, having just

come from the very well settled and cultivated regions of Pennsylvania and Maryland. The reason does not lie in any worse quality of the land, which is scarcely inferior to that beyond the Potowmack, but in the fact that individuals own great and extensive tracts of land of which they will sell none so as to leave their families the more. All of them are very much disposed to let land in parcels, they retaining possession and seeing their land as much as possible worked and settled by tenants; but tenants are not easily to be had so long as it is anywhere possible to buy land. This policy which will certainly be advantageous to the posterity of such rich and important families, has in the neighbourhood of New York and elsewhere stood much in the way of cultivation and settlement; whereas the back part of Pennsylvania, Maryland and even a portion of Virginia have been more rapidly settled, poor families being able to get title to small tracts of land. The smallest possession has for every man more charm than the most imposing leasehold.'

For these considerations it is difficult to determine from the real estate records the dates when the plough followed the surveyor's chain in large parts of the highlands of Fauquier and Loudoun.³⁴ It is certain, however, that the present day preponderance of population and taxable values in the 'upper end' of old Prince William³⁵ is a comparatively modern growth; for the manors were held intact and, generally speaking, undeveloped quite down to the Revolution.³⁶ We know that, before he died in 1732, Robert Carter established quarters on his earliest great tracts as far north as the Frying Pan, but much of the Goose Creek tract was compelled to wait another generation before it was occupied. If Sudley was seated before 1765 by a grandson, it was not until 1802 that a great grandson built Oatlands House. The local traditions of early seatings above Goose Creek prove delusive wherever they can be tested. It is illuminating in this connection to compare the record of the processioning of the region by the Truro Vestry in 1743 with the tradition that what is undoubtedly the oldest brick house in upper Loudoun was built in 1730.³⁷ In Leeds manor the delay was as great. It is enough to rehearse the fact that Thomas Marshall did not remove his family thither until 1765, and then found himself in the wilderness. Despite the par-

tion and sale of the Burgess and Ball lands in this region soon after Marshall's arrival and the consequent release of the upper valley of Goose Creek for freehold occupation, a processioning by Leeds parish in the last year of its civil functions would have shown conditions in a large part of upper Fauquier similar to those existing in upper Loudoun in 1743.

NOTES TO CHAPTER EIGHTEEN.

¹ *The Virginia use of the term 'manor':* A learned student of the sources of Virginia history has recently said (*Va. Mag.*, xxxii, 107) that 'there were no manors in Virginia.' We understand this to imply that the manorial system of local jurisdiction which had developed in England under the Tudors, of which the badges were the court baron and the court leet, was not transferred to Virginia. This is undebatable. The proof of it is in relation to the patent granted in 1616 by the Virginia Company to Capt. John Martin (for whom see Brown, *Genesis*, ii, 943), for that 'particular plantation' which he seated as 'Martin's Brandon' on the lower side of James River. The text of this patent is lacking, but it was contemporaneously interpreted as a grant to Martin to 'enjoye his landes in as lardge and ample a manner, to all intentes and purposes, as any Lord of any Manours in England doth holde his groundes." In 1619 the Virginia Assembly (*Journals H. B.*, 1619-59, p. 8) fairly objected that such powers were incompatible with the establishment in the colony of the uniform system of local government which was contemplated by the fundamental Laws and Constitutions enacted by the Virginia Company in 1618; i. e., after the date of Martin's grant; and as a consequence the Company secured the surrender of Martin's patent of 1616 and issued him a new one, minus the manorial jurisdiction. (See Kingsbury, *Records of the Virginia Company, passim*). On the other hand, it may be noted that the owners of all the several 'particular plantations' did for a time claim and, until the county system was fully developed, exercised a certain measure of local jurisdiction, including a privilege of representation in the Assembly similar to that later exercised by the New York patroons. (See *e. g.*, the records of Berkeley Hundred, calendared in Bulletin N. Y. Public Library i, 186; iii, 167, 208).

The only examples of the full fledged jurisdictional manor established in America were in Maryland and New York, but even in those colonies they soon withered under pioneer conditions. (For Maryland see Johnson, *Old Maryland Manors*, and Gould, *Land System in Maryland*, Johns Hopkins Studies, 1883 and 1913; for New York, Cadwallader Colden's report of 1732 in *Doc. Hist. N. Y.*, i, 252, and *The Livingstons of Livingston Manor*, 1910, *passim*).

While a jurisdictional manor on the developed English precedent would probably have been impossible in a civilization based on slavery, certainly so long as practically free land was available on the frontier, it remains a fact that the term manor was used in eighteenth century Virginia, in a special sense, both above and below the Rappahannock. By 1700, as Mr. Gould has shown, the Maryland manor had become

nothing more than a tract of land held intact by entail, which the proprietor was administering by a system of 'manorial' leases for three lives. This precedent seems to have spread across the Potomac and to have brought with it the term 'manor,' not as a claim of special jurisdiction but as a description of a system of estate administration. It will suffice to cite four examples of such usage, of which there is formal record: (1) By his will of 1694, George Brent of Woodstock directed that a portion of his share of the Brent Town tract be erected into a 'manor,' of which the remainder should be held, and thereafter during the eighteenth century his heirs in tail administered that 'manor' by leases for three lives. (See the surviving fragments of the will, supplemented by recitals in a subsequent deed, in *Va. Mag.*, xviii, 96; *Prince William D. B.*, W: 85; and the 'manorial' leases noted *ante.*, p. 194; (2) Like Lord Baltimore's charter, the several charters of the Northern Neck proprietary had authorized the erection of manors with full equipment of court baron and court leet, but there were no attempts to set up such courts in any of the great tracts granted by the proprietors in the seventeenth century, Mt. Vernon, Ravensworth and Brent Town. In 1736 and later years, however, reciting specifically the term in the record he made on the proprietary books, Lord Fairfax erected the 'manors' of Leeds, Great Falls, South Branch and Greenway Court, all of which he administered under the system of leases for three lives without claim of special jurisdiction. (3) That William Beverley called his great tract on the upper waters of the South Branch of Shenandoah a manor appears from the designation of it on the 1755 edition of the Fry and Jefferson map as 'Beverley manor or Irish track.' This doubtless meant no more than a following of Lord Fairfax's precedent; (4) By his will, written in 1762 (*Va. Mag.*, xxxi, 50, 54), Charles Carter created two entailed estates for his younger sons, which he designated respectively the 'Manor of Cleve' and the 'Manor of View Mount.'

In the sense of these examples, it may fairly be said that the Spotswoods, Carters, Fitzhughs, Pages, Burgesses, Balls, William Fairfaxes, Colvills, Churchills, Wormeleys, and other holders of 'great tracts' in northern Virginia, also established 'manors.' That these families did not themselves uniformly use the term in will, deed and other published instruments was doubtless due to its unpopularity in Virginia, which repelled tenants; but because their lands in question were entailed and were administered on the system of leases for three lives their estates were uniformly called 'manors' in popular local parlance, and so they are described by Kercheval in his *History of the Valley*.

The interesting fact is that despite the lack of special jurisdiction which would have given these 'manors' legal significance, the colonial use of the term was not without English precedent. It was a reversion, under new conditions, from the contemporary English institution to the earlier English designation of a proprietary estate. Just as the Virginia County Court had revived and united with that of the Tudor Justice of the peace the customary jurisdiction of the 'vill' or the 'hundred' long after that jurisdiction had been distributed between the manorial courts and the royal courts in England, so the 'manor' in the colony revived the simpler form of the manor which Bracton knew. Maitland says (*History of English Law*, 2d ed., 1911, i, 596) that 'in the thirteenth century the term *manerium* seems to have been no more precise than the term 'estate,' as commonly used by laymen, is at the present time.' Holdsworth adds (*History of English Law*, ed. 1922, i, 180) an historical explanation in the statement that the 'manor' as an institution 'came not

only to denote a certain tract of land held in a certain way *but also* to connote jurisdiction.'

² The sense the successive agents had of their opportunity to provide for their own families without injury to the interests of their principals is expressed in a letter by George William Fairfax to his brother, Bryan, at the very end of the history of the proprietary. Writing from England, March 28, 1783, he said:

'I hope you'll second my intention of deputing you to act as the present Lord's Agent, for it strikes me more forcible now to urge and intreat you to act in that capacity; and I make no scruple in saying was I in Virginia, I would undoubtedly avail myself in making the best provision I could for our Family, which has suffered so much by alienating so many good Estates in Yorkshire. Don't suppose, Sir, that I mean by any unjustifiable ways for I dare say you would scorn any act of that sort as much as myself or any Person living: but I should now acquit my Conscience in looking over all the Surveyors returns in the Office and where I found any vacant Lands etc., would make out the Deeds to your eldest son or a friend you can trust, that would reconvey to him, or any of them, for you know that you cannot make the Deeds to yourself.'

³ *Journals H. B.*, 1695-1702, p. 28.

⁴ At the time of his death in 1732, Robert Carter's estates in the older counties of the Northern Neck and south of the Rappahannock, acquired by inheritance or purchase, aggregated at least 125,000 acres. See his will, dated August 22, 1726, with four codicils to July 23, 1730, and the inventory made after his death in 1732 (all printed in *Va. Mag.*, v, 408, ff).

⁵ For the Matthews dividend see *ante.*, p. 53. Before 1715 this had passed to John Holloway, the Williamsburg lawyer who took out a Northern Neck grant (*N. N.*, 5: 86), describing the land as 3,211 a. 'bounded Southerly by Chipawansic Creek, easterly by Potomac River.' In his will of 1726 Robert Carter recites his acquisition of these lands from Major Holloway.

⁶ Hening, iii, 205.

⁷ *Robert Carter's 'Manors'*: The 'King' never took his Northern Neck grants in his own name. That he considered them his own nevertheless appears from the surveys of adjoining lands which invariably refer to all those grants, irrespective of the names of the grantees, as 'Colonel Carter's.' The fact that he was the vicarious source of the titles determined the practice; but those he selected to take the titles show that he was conscious of his own advancing years. Those titles were vested in parcels, in his sons, his sons-in-law, and his grandsons; so that the grants read not only like the lower branches of the 'Carter tree' but as a calendar of revolutionary worthies. It will suffice to illustrate the point. Most of the grants were to the sons, John, Robert, Jr., Charles, Landon and George, in various combinations, but Mann Page, of Rosewell, the favorite son-in-law, appears in several, as does Lewis Burwell, the favorite grandson. The most complete pedigree is in respect to the Shenandoah tract. There the grantees are, 'Landon Carter, George Carter, Carter Burwell, Robert Burwell, Carter Page, Robin Page, Robert Carter Nicholas, Robert Carter, Jr. (son of John), Benjamin Harrison, Jr., and Robert Carter, Jr., (son of Robert Carter, Jr.).'

⁹ N. N., A: 64. This grant was taken in the name of George Turberville and immediately transferred to Col. Carter, who established on it his quarter called The Lodge, mentioned in his will as 'bounding on the Germans.' Followed by the Turkey Run and Kettle Run tracts, this survey was intended to set a western limit to Brent Town, but as the 'back line' of that earlier great tract was not surveyed until 1736, the Carter descriptions did not exactly fit, and left lands in between for other grants after Col. Carter's death.

⁹ N. N., A: 65. This grant issued in the name of Col. Carter's son-in-law, Mann Page, and subsequently passed to the Churchills.

¹⁰ N. N., A: 91.

¹¹ N. N., A: 70. This included 'Saint's Hill.'

¹² N. N., A: 71. This included 'Sudley.'

¹³ N. N., A: 90; C: 7. This included the great bend of Bull Run later known as 'Portici,' which was to be the battlefield of 'first Manassas.'

¹⁴ C. O., 5: 1321, p. 213. On the principle Gooch here stated the practice of large speculative land grants grew steadily until the English government thought it necessary to prohibit it. As late as 1754 an order was sent to Governor Dinwiddie to limit all grants to 1,000 acres, in response to which he restated (*Dinwiddie Papers*, i, 370) the Virginia argument as follows: 'The granting of large quantities to one Person has been of service in settling the back and remote parts of this Dominion, as these great grants have been subdivided to poor people that come from the other colonies and are not able to be at the charge of coming here [i. e., to Williamsburg] and taking out Grants for small quantities of land.'

¹⁵ Carter Letter Book MS., Va. Hist. Soc.

¹⁶ Robert Carter's lease of the Northern Neck: None of the county records in the Northern Neck affords any testimony for the instrument which defined the powers and conditions under which Robert Carter's second agency was conducted. That paper was undoubtedly recorded in the lost books of the General Court. That it was a lease appears, however, from the following evidences, viz: (a) the devise in Carter's will of 1726 (*Va. Mag.*, vi, 2) to his son, John, of 'the Lease I have lately taken and am now in possession of, of the Northern Neck from the proprietors'; (b) a comment in a letter from Carter to Cage of which the surviving copy (*Carter Letter Books*, MS.) bears no date, but which discusses the preparations for the attack on the proprietary which was precipitated in 1730 and so may be related to 1728. Here Carter says, 'my lease wears out apace: it will be no great loss to me let it go as it will;'; (c) Gooch's report to the Lords of Trade (C. O., 5: 1322, p. 103) in July, 1730, that the Northern Neck 'is now farmed by the Proprietor at £450 per annum and it is supposed to be worth £700, besides that tis still encreasing by new Settlements'; (d) a reference in the *Autobiography* of John Page (*Va. Hist. Register*, iii, 144) to a tradition that Robert Carter 'held the rich office of agent for the Proprietor of the Northern Neck by purchase from the Lord Proprietor, his friend (*sic*), who was contented (*sic*) to receive but £300 per annum for it (*sic*), as the report of the family stated.'

¹⁷ The Carter entails: As Col. Carter's will was drawn before the great tracts of 1727 to 1731 had been surveyed, there is no reference to them therein. These lands are, however, rehearsed in the various

acts docking entails in relation to the sons, viz: (1) John of Corotoman, Henning, viii, 464; (2) Robert of Nomini, *ibid.*, iv, 454; vii, 478; (3) Charles of Cleve, *ibid.*, viii, 25, 214, 218, 436; xi, 55; (4) George of the Middle Temple, *ibid.*, v, 300; viii, 215. In pursuance of the authority of these acts George Carter's lands were several times offered for sale by the Trustees appointed for that purpose during the years 1745 and 1746 (*Virginia Gazette*, Nos. 458, 519). The last advertisement shows that the sale was ultimately accomplished in 'small parcels of 5 and 600 acres.'

Landon Carter of Sabine Hall, alone of the 'King's' sons, did not seek to modify his father's entail.

¹⁸ *N. N.*, B: 61; C: 172, 175, 177, 178.

¹⁹ *N. N.*, B: 145; C: 36, 37, 38, 39. See *post*, p. 422.

²⁰ *N. N.*, C: 77. It is of interest that Col. Carter described this grant as in Prince William at a time when Virginia had declared it to be in Orange. The boundaries of this tract (and of the adjacent Pageland) were sketched in on the later states of Warner's Northern Neck map of 1737; and so serve also to identify the location of Lord Fairfax's manor of Greenway Court, created in 1752 (*N. N.*, H: 179) which lay above the Shenandoah immediately south of the Carter tract.

²¹ *N. N.*, C: 78. This tract subsequently passed from the Pages to the Wormeleys (Henning, viii, 230).

²² *N. N.*, C: 173.

²³ *The Indian Thoroughfares*: *N. N.*, C: 174, 176. These grants are the earliest record of the names Williams and Ashby applied to the gaps. A grant to Warner Toward on September 11, 1731 (*ibid.*, D: 54, and see also E: 344) explains the first name by a reference to 'the road that leads to Williams' Cabbin at the Blew Ridge.' As to the latter name, the tradition of the Ashby family (T. A. Ashby, *Life of Turner Ashby*) is that Thomas Ashby lived and reared his family in or near the gap which later bore his name. It is possible, then, that the small land grant he took out years later (*N. N.*, F: 292) in the vicinity of the modern village of Paris, may identify the site of this early wilderness residence. Meanwhile, however, he had acquired lands elsewhere and doubtless moved his residence more than once. His name is marked on John Warner's plat of Leeds Manor in 1736 on the lower side of Shenandoah, some distance above the gap, and in 1742 he had a grant (*N. N.*, E: 494) on Goose Creek where the 'road to Shenandoah' crossed it (i. e., Delaplane) and where his descendants ever since have lived (Fauquier Historical Society *Bulletin* No. 2, 1922). Considering the Williams precedent, it seems probable that the earliest settlers might have named the landmark for one they found already on the ground, but the story told today attributes the name to a son of Thomas Ashby, a well known border character about whose memory many legends have gathered. This was that Capt. John Ashby whom George Washington found living on Shenandoah River in March, 1748 (*Writings of Washington*, ed. Ford, i, 1) and who later commanded an outpost in Hampshire against the Indians after Braddock's defeat (*Journals H. B.*, 1752-58, p. 459). The tradition finds colour in the fact that in 1748 this John Ashby kept the Shenandoah ferry below the Bent, and we shall see (*post*, p. 511) that it was the practice to call the Blue Ridge gaps after the Shenandoah ferry keepers; but it does not appear that either John or

Thomas Ashby kept the ferry in question in 1731, when the Bent had already taken their name: On the contrary, it appears from the Leeds manor plat of 1736 that one Kersey was living at the mouth of Passage Branch in 1736 and so probably then kept a ferry there.

²⁴ *Charles Burgess* represented Lancaster in the Assembly from 1728 to 1732. His name has a curious interest because, in a suit by his widow, which was appealed from the General Court to the Privy Council, the record showed that in 1736 Mrs. Burgess had somewhere in Virginia (could it have been in old Prince William?) a tenant named *Lemuel Gulliver!!* (*Acts of the Privy Council*, Colonial, iii, p. 530). Dean Swift had heard of this man in England in 1728 and was greatly entertained by a report of 'his ill reputation of being a liar' (See *Correspondence of Jonathan Swift*, ed. Ball, iv, 29).

²⁵ For *James Ball* (1698-1754) see Hayden, p. 63. Capt. Ball's son married a daughter of Charles Burgess, last mentioned, and their son was Col. Burgess Ball of the Continental army who is buried at Springwood, beside the 'Big Spring' near Leesburg.

²⁶ Charles Burgess' grants were N. N., C: 162, 163, 164, 166, 167; D: 64.

²⁷ James Ball's grants were N. N., C: 179; D: 87, 88.

²⁸ *Leeds Manor*: N. N., E: 28. It was for the Leeds Manor lands that John Marshall was to work so hard. The story has been told from different points of view by Senator Beveridge in his *Life of John Marshall*, and by Mr. H. C. Groome in *Fauquier Historical Society Bulletin No. 1* (1921).

²⁹ N. N., E: 34.

³⁰ *Great Falls Manor*: N. N., E: 38. In 1765 (N. N., I: 124) after it was apparent that there were no valuable minerals to be mined here, Lord Fairfax made a present of this manor to Bryan, son of William Fairfax, who ultimately succeeded as eighth Lord Fairfax.

³¹ The tradition of this criticism reached Burnaby with a misinterpreted imputation upon Col. Carter's loyalty to his trust. From Burnaby's pages it has since been often quoted. Whatever may have been his first impression on learning of the extent of the Carter grants Lord Fairfax could not have entertained any such feeling against the memory of the 'King' or he would not have appointed that worthy's son, Charles of Cleve, one of his Commissioners during the critical years from 1736 to 1746. Moreover, the charge is on its face palpably unjust. Any reader of the council minutes (not to speak of Col. Carter's own letters) between 1723 and 1732 can testify that it was to Carter's prudent caveats and alert interest that Fairfax owed the ultimate prevalence of his claims in his litigation with the Virginia government.

³² *Jones & Carter v. Roberts* (1804), 6 Call, 167.

³³ *Riese* tr. Morrison, ii, 31.

³⁴ The best evidence here would be MS. private papers, but, unfortunately, the most important testimonies of that kind are lacking. The Fairfax manorial rent rolls have disappeared with the quit rent rolls; and Chancellor Wythe found (See the record in the *Frying Pan* partition suit, *Carter v. Carter*, on file in Fredericksburg) that the 'King's' grandson, 'Councillor' Robert Carter, was a typical Virginia gentleman in the characteristic of being careless about his bookkeeping.

³⁶ For this purpose a dividing line may roughly be drawn from the mouth of Difficult through the site of Warrenton, to the Rappahannock.

³⁶ Mr. Curtis Chappellear's pleasant traditions of men and houses in the region between Goose Creek and the Blue Ridge (*The Annals of Ashby's Gap*, published in the *Winchester Evening Item* newspaper, 1905) all relate to the post-revolutionary period.

³⁷ *Truro Vestry Book*, ed. Goodwin, p. 19. In 1743 'Between the south fork of Kitoctan and Williams' Gap, no [resident] freeholder in this precinct. Between Williams' Gap, Ashby's Gap, the county line [i. e., the present boundary between Loudoun and Fauquier, west of the head of Bull Run] and Goose Creek, to the Beaver Dam and back to the Gap, no [resident] freeholder in this precinct.'

CHAPTER NINETEEN

The White Plains

THE seating of the highlands of old Prince William began in the sandstone, chestnut clad valley between the north-western slope of the Pignut ridge and the neighbouring water shed common to the Occoquan, the Rappahannock and Goose Creek. From 1725, when the first comers identified as 'the White Plains' the grass lands the Iroquois had here prepared for the buffalo, the land grants reveal the development of a community which soon assumed, and has since maintained, a character somewhat like that of Brent Town, in that its population has always been dominated by a tidewater tradition. It included, however, men of all the races which had already seated lower Fauquier. They had pushed thither, some through the thoroughfare of Cedar Run, and some through the thoroughfare of Broad Run. Limited on the west and north by the 'manors,' and on the east by the Bull Run Mountains, they crossed the divide to the waters of Goose Creek and, by 1747, had occupied all the lands on the drains of Little River and Crummey's Run, including the lower side of Goose Creek itself between the mouths of Wankapin and Chat-tin's.

The nucleus of this settlement was the planting of an outpost on what was at the time, and for some years remained, the uttermost verge of Virginia civilization. The pioneers were men we have already met on the Elk Marsh. In November, 1725, William Russell and James Warren took adjoining grants for 643 and 360 acres, respectively, 'on the branches of Broad Run on the *west* side of the Pignut Ridge,' and Samuel Skinker took up 672 acres also described as on the branches of Broad Run, but on the *south* side of Pignut.* Others soon surveyed claims on both slopes of the ridge, and had already made up a small community when, during the ensuing spring, Parson Alexander Scott of Overwharton made

his way thither from the east through the gap which the Maryland ambassadors had missed in 1697. Parson Scott was a farsighted and successful purchaser of real estate, but he was moreover a faithful parish priest, and we will do him the credit to assume that his journey to the backwoods in 1726 was to pay a pastoral visit to his most remote parishoners, or perhaps to enquire why the small stream (discreetly left unnamed on the modern map), which empties into Broad Run from the north above the Thoroughfare and at the foot of Mother Leathercoat Mountain, had then recently been designated by the name of a mortal sin.⁴ But whatever the motive of his visit and whatever its spiritual fruits, the worldly consequence was that Parson Scott then and a year later took two land grants in this region and thereby impressed his name permanently upon the map of Fauquier, as he had already left it to be written on the map of Fairfax. The first, dated August 10, 1726, was for 781 acres on Skinker's side of Pignut and is described as 'on the branches of Broad Run above the Thoroughfare.' The second grant, dated July 10, 1727, was, however, on the other side of Pignut and included the abandoned site of the Piscataway fort and corn fields of 1697. It adjoined Russell and Warren, but straddled the divide between the waters of the Rappahannock and the Potomac at the head of the Rappahannock Range, reaching from the foot of Pignut to and including the future site of the town of Salem (Marshall). This boundary was originally described as 'on a branch of Rappahannock River called Carter's Run in King George County and on the head of a branch of Broad Run of Occoquan in Stafford County,' and was ultimately found to be made up of 3,533 acres.⁵ It was subsequently made a boundary not only for Leeds manor but for James Ball's Horsepen tract which touched it at the head of the Piney Branch of Broad.⁶

Following Parson Scott came an overflow from Germantown. In June, 1731, John Fishback took a grant of 1,028 acres 'at the head of a fork of two branches of Broad Run of Occoquan' and a few months later Jacob Holtzclaw surveyed 362 acres adjoining and 'at the head of a small branch of Goose Creek.' Read together, these boundaries reached to

Little River and included that 'Fishback Ridge' which ever since has been a landmark on the map of Fauquier.' In 1741 Tilman Weaver had a grant between Crumney's and Chattin's Runs, north of Ball's Horsepen, which, by 1772, had passed to another descendant of Germantown, John Rector, when the Assembly found the location to be 'convenient for an inland town' and authorized Rector to lay one out upon it. That town was intended to be called Maidstone, as a compliment to Lord Fairfax, but its first appearance on the map denominated it, in accordance with common parlance, as Rectortown.⁸

The comprehensive occupation of the territory beyond the grants we have named took place during the years from 1739 to 1747, while William Fairfax had responsible charge of the proprietary during the absence of Lord Fairfax. To that period belong the appearance here of such Potomac River names as John Peyton,⁹ Charles Ewell,¹⁰ Nathaniel Chapman,¹¹ and George Byrn.¹² Contemporaneously, William Fairfax reserved on the lower side of Goose Creek fair inheritances for two of his younger sons and one of his wife's Massachusetts brothers; having meanwhile taken up in his own name some escheated surveys in the valley between Pignut and the Head of the Rappahannock Mountain, and so ousted several of the earliest seatings of Rappahannock River men.¹³ Thus the new community became characteristically a Potomac River outpost. Other than Skinker, the only Rappahannock name which was there rooted was that of Turner; for it was at this time also that Thomas Turner and his son Harry, successive clerks and burgesses of King George, established the foothold in the highlands, which their descendants have since maintained.¹⁴

In the midst of this mapmaking William Powell found, in 1741, the limit of the White Plains community at the future site of Middleburg,¹⁵ where cornerstones were already set against a further advance down Little River. A current of immigration similar to that which occupied the White Plains had overflowed hither from the Cub Run settlements east of Bull Run, reaching between the Carter manors to the Bull Run

Mountains and around their head. In 1729 Thomas Owsley gave his name to a northward flowing tributary of Little River near its mouth, which is still known as Owsley's Run;¹⁶ adjoining him on the west was the tract of John Mercer of Marlboroughtown, which included the site of the town of Aldie;¹⁷ while on the south William West, the surveyor, saved between their lines a strategic site on the Carolina road on which to establish his well known Ordinary.¹⁸

While not comparable in extent with the holdings of the Brents, Fitzhughs, Jeffreys, Carters, Lees, Burgesses, Colvills and other proprietors of great tracts which had been carved out of the proprietary and were administered as manors, the holdings in the White Plains area by the men we have cited, and by other non-residents, their contemporaries, whose names have not persisted locally, were generally greater than had previously been recorded in old Prince William. The opportunity to create those holdings on the scale recorded in the Northern Neck grant books was a by-product of the contemporary preference of the class of small freeholders for the Shenandoah Valley, for which, as has been noted elsewhere, the existence of the manors was responsible. This fact was a potent influence in determining the social atmosphere of the White Plains in the post-revolutionary period when descendants of many of the original grantees came there to live.

Another characteristic of the White Plains community may also be attributed to the accident of its origin. Before the middle of the eighteenth century the vigorous and self-conscious Rappahannock men, who developed the Elk Marsh settlement, began to demand independence from the Potomac river interest which controlled the original Prince William from the county seat on Cedar Run. They were weary of being the 'back inhabitants' of a tidewater county. As soon as they were strong enough they set up their own county of Fauquier. When this claim was allowed, the White Plains community was still in its infancy and had no power of self-determination. It was swept up in the political map making, and was grouped with the Elk Marsh men, although, unlike them, its relations

with Dumfries and Alexandria were sympathetic. As a consequence, a germ of individuality was propagated under the shadow of Pignut. The planters there remained sentimentally a part of Prince William, despite the act of Assembly which included them in Fauquier, and declined to be swallowed by their dominant neighbours on the South. Neither their family ties nor their business drew them through the Cedar Run thoroughfare to their new court house. Their only lure thither was a process. They continued spiritually and commercially to look out upon the world through their own avenue of immigration, which was the Broad Run thoroughfare. The highway system indicated on Bishop Madison's map reveals this state of mind graphically, and it was similarly emphasized when the Manassas Gap railroad was built. Thus in the very beginnings of Fauquier there arose that political distinction between the 'lower end' and the 'upper end,' which is one of the persisting peculiarities of that county.

NOTES TO CHAPTER NINETEEN

¹ *The White Plains*: The name was probably suggested by a pioneer's *coup d'oeil* of the numerous blocks of insoluble white quartz which were left scattered over the surface of the valley in the process of disintegration of the locally characteristic crystalline schist. Most of these loose rocks have since been collected into stone fences and the name is no longer obvious; but even today a new ploughed field occasionally looks like a battlefield of old time on which have bleached the bones of long dead warriors.

² *N. N.*, A: 178, 179.

³ *N. N.*, A: 174; renewed, 1743, F: 133. *Capt. Samuel Skinker* was established as a merchant on the Rappahannock opposite Port Royal before 1722 (See Hening, iv, 113, and his name on all the Rappahannock River maps beginning with those of 1737) and later sat in the King George court. We have seen him in 1724 acquiring lands adjoining Ludwell's Quarter below the Elk Marsh (*N. N.*, A: 101). One of his descendants subsequently resided on the Carolina road when his lands were selected as the location for a District Court House and became the town of Haymarket (See *post*, p. 318). Another established himself in the White Plains community, where his descendants persist. The Pignut mountain land was not planted for many years but has been held continuously by the Skinkers under the grant of 1725. It is designated 'Huntley' on the Fauquier map of 1914.

⁴ The stream is named in *N. N.*, B: 119. 'Mother Leathercoat' is the gatepost of Thoroughfare Gap on the north, opposed to 'Biscake' on the south. The names are recorded respectively in *N. N.*, E: 326, and A: 70. See also the plat of the Gap in *N. N.*, E: 14.

⁵ *Gordonsdale*: Parson Scott's grants here recited are *N. N.*, A: 213; B: 85. The latter, depicted on the Leeds Manor plat of 1736, called for 2,823 acres, but in 1774 it was reported (*Journals H. B.*, 1773-76, p. 86, 228) that a re-survey revealed an original underestimate of 710 acres. This was the beginning of the property later known as Gordonsdale, the seat successively of Scotts and Peytons. From the former family the surrounding magisterial district derives its name. The romantic story of why John Scott built the original Gordonsdale house in 1776, as told by Bishop Meade (ii, 211), is supplemented with the documents in Hayden, *Virginia Genealogies*, p. 603.

⁶ *N. N.*, D: 87. Ball's Horsepen is depicted on the Leeds Manor plat of 1736. Cornering with Ball on the east, and north of Scott, was Owen Grinnan's dividend (*N. N.*, D: 28) identified, by a description which is still recognisable, as 'on a north head branch of Broad Run, below the pines.'

⁷ *N. N.*, C: 158, 198. For 'Fishback Ridge' see the Fauquier map of 1914.

⁸ *N. N.*, E: 240; F: 352. For 'Maidstone . . . on the lands of John Rictor (*sic*)' see Hening, viii, 621. Rector's petition for this authority (*Journals H. B.*, 1770-72, p. 259) alleges that in 1772 'several tradesmen have already settled at this place, and others are willing to settle there in case a Town is established.'

⁹ *N. N.*, E: 292; F: 222, 236. The will of *John Peyton* (1691-1760) of 'Stoney Hill' in Stafford mentions his Pignut grant and shows that he had purchased other property in that neighbourhood. He was the grandfather of that Chandler Peyton (1769-1827) who married a daughter of John Scott of Gordonsdale and subsequently bought that property from Scott's widow (Hayden, pp. 495, 515).

¹⁰ *N. N.*, E: 302, 326. *Capt. Charles Ewell* (1713-post 1747) lived in Dettingen parish and was the father of the first of the three successive Jesse Ewells who have been pillars of Prince William. He was brother of that Bertrand Ewell (1715-1795), surveyor of Prince William, who was identified with the development of Dumfries and the Quantico Valley (Hayden, p. 335).

¹¹ *N. N.*, G: 151. This grant has a special interest because it assumed and localized the name, '*The Plains*.' The tradition of the Chapman family is that Jonathan and his son, Nathaniel, came to America together early in the eighteenth century and that the former seated himself on Four Mile Run in Fairfax, where he died before 1749. It was, then, undoubtedly this Jonathan Chapman who had the grant in 1742 (*N. N.*, F: 80) at the access to Thoroughfare Gap, where 'Chapman's Mill' is proven to have been standing in 1757 (*post*, p. 345), and, as his name heads the list of Chapmans on the tablet let into that mill, it is probable that he founded it. This deduction would date the construction of the mill prior to 1749 and make it the explanation of Nathaniel Chapman's acquisition of the Pignut boundary here referred to. This Nathaniel was the iron master who was operating the Accokeek furnace in 1753 on behalf of the Principio Company (*post*, p. 426). He died in 1760, leaving a son, Pearson (1745-1784), from whom have descended the Chapmans of Glymont, Md.,

Dumfries, Alexandria and 'Chapman's Mill,' as well as Dr. Nathaniel Chapman (1780-1853) of Philadelphia, a physician of the first distinction in American medicine (See *Appleton's Cyc. Am. Biog.*, i, 581).

¹² *Byrnley*: N. N., F: 145. This was the property, lying immediately north of The Plains, which is still known as 'Byrnley,' and is so marked on the Fauquier map of 1914. George Byrn first appears in the Prince William records in 1740 on Powell's Run (N. N., E: 150), where he accumulated a large boundary before he seated himself in the White Plains community. He was a practising surveyor and in 1745 served as the Commissioner to lay off the boundary line between Dettingen and Hamilton parishes, as appears from his certificate which remains on file in the Prince William records (*post*, p. 306). Byrn is buried at 'Byrnley,' where his tombstone may still be read.

¹³ William Fairfax granted (1) to his son, Bryan, 4,281 a. in two parcels on Goose at the mouth of Wankapin and in the fork between Little River and Hunger Run (N. N., E: 177, 281, 381; F: 205); (2) to his son, William Henry, 1,280 a. on Goose, adjoining Leeds Manor (N. N., E: 361, 495); (3) to his wife's brother, John Clarke, 1,748 a. east of William Henry's land, i. e., in the vicinity of Rector-town (N. N., E: 158). These two tracts last mentioned subsequently were purchased by George Washington. William Fairfax's own Pignut escheat was N. N., E: 115, in name of Edward Washington, who conveyed by P. Wm. D. B., D: 312.

¹⁴ *Thomas Turner*: In May, 1732, Charles Taylor had a warrant for a survey of 1,700 acres at the north end of the Cobblers, but Robert Carter's death intervened before a grant issued (N. N., D: 90). The survey was, however, depicted in Taylor's name on the Leeds Manor plat of 1736 and in November, 1740, a grant issued for the same land to Harry Turner of King George (N. N., E: 198). He transferred the title to his father, Col. Thomas Turner, who added to the acreage from the adjacent Burgess lands, as appears from his will drawn in 1757 (*Va. Mag.*, xx, 439; *Acts P. C.*, Colonial, v, 129). There is found a devise to a grandson, Turner Dixon, of 'my Cobler Mountain tract containing upwards of 3,000 acres.'

The memory of Thomas Turner is kept fresh in the Virginia tradition by a pleasant record of his prowess as a gardener. In John Randolph's *Treatise on Gardening*, published at Williamsburg about 1760 (*W. & M. Quar.*, xxv, 138, 166), mention is made of 'Col. Turner of King George who was eminent for cauliflowers.'

¹⁵ N. N., E: 354. *William Powell* was the father of Col. Leven Powell, who founded Middleburg in 1787 (Hayden, p. 507; Hening, xii, 605).

¹⁶ N. N., C: 41; E: 154, 432. *Thomas Owsley* was son of that Clerk of Stafford whom we first met on Accotink in 1692 (*ante.*, p. 90) and from him descend those of the name who distinguished themselves in Kentucky and the 'Southwest,' including the recent commander of the American Legion.

¹⁷ N. N., C: 190; D: 98; E: 10, 12. It was on this land that John Mercer's distinguished son, *Charles Fenton Mercer*, lived, founded the town of Aldie (see *post*, p. 577), and left his name to 'Mercer District' of Loudoun.

¹⁸ N. N., E: 146, 147. See *post*, p. 494.

CHAPTER TWENTY

The Catoctin Borderland

WHEN the county of Loudoun came into existence in 1758, it was assigned arbitrarily a territory which had been occupied by three successive thrusts of immigration, and had already developed into the three distinct communities which still give the northernmost area of old Prince William the social atmosphere of a border land. That judicious observer of Virginia topography and civilization, Joseph Martin, summed this up at the end of the first quarter of the nineteenth century in a discerning estimate:

'A very considerable contrast,' he said 'is observable in the manners of the inhabitants in different sections of the County. That part of it lying N. W. of Waterford was originally settled principally by Germans and is now called the German settlement, and the middle of the County, S. W. of Waterford and W. of Leesburg, was mostly settled by emigrants from the middle states, many of whom were members of the society of Friends. In these two sections the farms are generally from one to three hundred acres each and are mostly cultivated by free labor. In the S. and E. parts of the County the farms are many of them much larger and principally cultivated by slave labor.'

The territory which Martin found to be 'principally cultivated by slave labor' lies below the range of the Catoctin hills and extends west beyond Middleburg. A modern political geographer, with the duty of rectifying the frontier on scientific principles, would doubtless divide it between Fairfax and Fauquier, for on every standard of 'self-determination' it is closer akin to them than it is to what historically and economically we may term Loudoun proper: but as it happens, it was here, south of Catoctin, that that community had its beginning.

In their northward progress to the Broken Hills, as the early grants called the Catoctin range, the tidewater men we have followed up the Potomac left unclaimed a considerable area above Goose Creek, including the drains of Sycoline and Tuscarora and extending thence east to the site of Leesburg. Hither penetrated, in 1728, the Loudoun pioneers. They were mostly Scotch-Irish who had already been recorded below Brent Town, and had made their way up the Shenandoah Hunting Path, reversing the race movement of the Iroquois. As below, they took up here small grants, but there soon appeared among them, to complete the map, those ubiquitous speculators, Catesby Cocke and George Eskridge. We meet here also, in 1729, a name which has ever since connoted large landholdings in Loudoun—George Slater.³

The first of these immigrants from the south were Jacob Binks, Isaac Lasswell and James Rice. In October, 1728, they had grants of lands on which they were then living, described as 'on both sides of Goose Creek, beginning about three miles above the mouth of Secoline Branch,' and 'on the northwest side of Goose Creek.'³ Later, John Lasswell and others pushed beyond them. Keeping above the Carter boundary, this advance guard turned the western escarpment of the Catoc-tin hills and established a series of disconnected clearings reaching up the North Fork of Goose Creek in the direction of the Blue Ridge at Williams' Gap. Incidental references in grants of 1731, to 'the Path from Jacob Binks' to John Lasswell's' and to 'the road that leads to Williams' cabbin at the Blue Ridge' show that these pathfinders were still following the Iroquois trail.⁴

That aboriginal highway served also, almost at the same time, as an avenue of immigration from the north. A band of Germans followed it across the Blue Ridge.⁵ They were an eddy of the important stream of population which was then flowing from Pennsylvania into the Shenandoah Valley. The earliest of them to reach the Potomac were at the mouth of Antietam Creek certainly in 1726, whence later they pushed across the Packhorse Ford to found the Virginia settlement

long known as Mecklenburg before it became Shepherdstown.* It was probably from that nest that came also the original German settlers of Loudoun. Because they took possession of the land as squatters in the wilderness, they themselves left no records, but the tradition of their descendants,⁷ that sixty families of them were in the Catoctin valley in 1731, is verified in principle by the earliest notes of the Virginia surveyors when they reached the Blue Ridge. In July, 1731, land grants to Virginians are identified below the Short Hills, by reference to 'Dutchman's Creek,' and above 'at the Blue Ridge at a place called the Meeting House.' Recruited later by others of their nationality who came through Maryland down the valley of the Monocacy, and taking leases of the lands they themselves improved but which had been granted to Virginians, these Germans gradually spread to the southwest. Below the Short Hills they had kept to the north of Catoctin Creek, but from the valley, now known as 'Between the Hills,' they scattered along the base of the Blue Ridge as far south as the village of Wheatland and made up that 'German settlement' to which Martin referred.

Following close on the heels of the Germans, came, also from the north, the pioneers of the third element in the population of Loudoun. In February, 1730/1, Samuel Marksberry⁸ recorded a survey 'on Kittokton run back of Kittokton Mountain near the Thoroughfare, or Hunting Path, through said Mountain' and thus introduces us to the Catoctin valley, looking in from the south through Clark's Gap. Lower down the stream an Irishman named Asa Moore built, according to the tradition in 1732, the first house on the south branch of Catoctin Creek and named it Waterford in memory of the place of his nativity.⁹ He soon had neighbours of English blood. In 1733 Amos Janney left his residence at the Falls of the Delaware, in Bucks County, Pennsylvania, and, migrating to Virginia with his family, established himself at Waterford. 'When they came to Virginia the neighbourhood where they settled was almost uninhabited but, other Friends coming soon after and settling near them, a meeting for worship was

held at their house."¹⁰ In 1741 this society built a meeting house at Waterford and organized 'Fairfax preparative meeting,' under the jurisdiction of Hopewell Monthly Meeting which had recently been established in the Shenandoah Valley. An evidence of the rapid growth of the new society is that in 1745 it was licenced by the Concord Quarterly Meeting (sitting in Chester County, Pennsylvania), to organize a monthly meeting in association with the 'Manoquesy preparative meeting' in Maryland. That the Waterford Friends preponderated in this association is apparent from the fact that the new organization was entitled 'Fairfax Monthly Meeting,' after the Virginia county in which they lived. Their minutes¹¹ show that the Waterford colony was swelled by additions not only from Bucks and Chester counties in Pennsylvania but from New Jersey, from Calvert County in Maryland and direct from England and Wales. Among the earliest names appear prominently several Janneys, Thomas John, Edward Norton, Samuel Harris and Thomas Bourne. These good people had found the lands about Waterford already preempted by Catesby Cocke and John Mercer and presumably bought or leased from them, but, about 1740, they began to expand to the southwest. Crossing the divide to the waters of Goose Creek, they established a settlement called Harmony where the town of Hamilton now stands and thence pushed on to the still unclaimed lands which lay above the Carter manors between the North and Beaverdam Forks of Goose Creek. Here they took out in their own names a series of original grants and built another meeting house. This settlement also grew steadily until the number of its worshippers justified administrative independence from Waterford, as Waterford had graduated from the jurisdiction of Hopewell; and so 'Goose Creek Monthly Meeting' came into existence.

There was but small sympathy between the Quakers and the Germans thus brought into contact¹² but they had a common interest in disapprobation of the slaveholding civilization to the south of them. The sentiment seems to have been cordially reciprocated. After the Revolution a long smothered

resentment blazed in the litigation over the Shelburne glebe. When it came to the political issues which lead to the war between the states, without hesitation the Quakers and the Germans aligned themselves against their neighbours and with the north.¹³ After the appeal to arms, the Catoctin run became a Rubicon. Above it was organized a company of Scouts who took the name of Loudoun Rangers, enlisted in the federal army and sought to emulate the exploits of Mosby's similar confederate command.¹⁴ In such a situation both parties played true to all the precedents of civil war: being near neighbours, their ambition was to cut one anothers throats. The opportunity did not come until April, 1865. Though delayed, the meeting was eminently satisfactory to the 'cavaliers.' Indeed, Col. John Scott of Warrenton dwells upon the incident with a gusto out of all proportion to the military achievement and records with cordial approval the terse report by the federal officer commanding at Harpers Ferry: 'Mosby surprised the camp of the Loudoun Rangers near Keyes Ford and cleaned them out.'¹⁵

Quite apart from the social problems which arose from the casual contacts of the settlement of the Catoctin valley, that region offers other interests to the historian. Its geological exhibit is highly coloured and, in consequence, its soils are not only valuable but varied.¹⁶ The agricultural conquest of such lands was attended by stimulating differences of experience even on adjoining farms. It is, then, perhaps to be expected that there should have arisen out of such a natural laboratory the system of improved agriculture which was to regenerate all the territory of old Prince William, and that there should be controversy as to the inventor of it. The change of the staple from tobacco to wheat in old Prince William was not followed by a complete change in agricultural practice. The Virginian merely adopted from the tobacco plantation the wasteful system in which the 'old field' played the conspicuous role. Writing to Arthur Young in November, 1787, George Washington described¹⁷ how this was done:

'I must observe that there is perhaps scarcely any part of America where farming has been less attended to than in this state. The cultivation of tobacco has been almost the sole object with men of landed property and consequently a regular course of crops has never been in view. The general custom has been first to raise a crop of Indian corn (maize) which according to the mode of cultivation is a good preparative for wheat; then a crop of wheat: after which the ground is respited (except from weeds and every trash that can contribute to its foulness) for about eighteen months: and so on alternately, without any dressing, till the land is exhausted, when it is turned out without being sown with grass seeds, or any method taken to restore it: and another piece is ruined in the same manner. No more cattle are raised than can be supported by lowland meadows, swamps, etc., and the tops and blades of Indian corn: as very few persons have attended to sowing grasses and connecting cattle with their crop. The Indian corn is the chief support of the laborers and horses. Our lands . . . were originally very good but use and abuse have made them quite otherwise.'

A course of agriculture of that kind, sustained for a generation, inevitably must reduce any standard of civilization which rested upon it. Such a degradation was, indeed, beginning to show itself in the emigration to Kentucky of the best people of northern Virginia, when out of Catoctin came forth the deliverer. In the last year of the eighteenth century someone introduced the use of gypsum as a soil amendment and corrective of soil acidity. The Quakers, conscious of their proud record of superior agricultural practice which has been sustained to this day and has made their Catoctin farms truly blossom like the rose, maintain a traditional claim that the benefactor was one of them, and say that Isaac Janney learned the art during a visit to Chester County, Pennsylvania. On the other hand, there is documentary evidence for John Alexander Binns, son of the first Clerk of Loudoun, and through his mother descended from the Alexanders of Chotank and Alexandria. This representative of the tidewater tradition published in 1803 a little modest book, scarcely more than a pamphlet,¹⁹ in which he rehearsed his experiments in

the use of gypsum, which he says were the first ever undertaken in Virginia. The question of the local priority is an old controversy and need not be reopened, for the evidence is that even in Virginia Washington had made similar experiments at Mount Vernon as early as 1787.²⁹ The really interesting fact is that before 1800 the Catoctin valley was able, by the use of land plaster, to establish a successful rotation of grain and grass, with incidental live stock husbandry, which has distinguished it ever since. The immediate results were remarkable, and attracted the curious attention of Thomas Jefferson. Commenting on Binns' book in a letter to an English correspondent, dated June 30, 1803, he was able to say:³⁰

'the County of Loudoun . . . had been so exhausted and wasted by bad husbandry that it began to depopulate, the inhabitants going Southwardly in quest of better lands. . . . It is now become one of the most productive Counties of the State of Virginia and the price given for the lands is multiplied manifold.'

From Catoctin this economy spread to Fauquier and thence the 'Loudoun System' of agriculture became an example for all piedmont Virginia and was acclaimed a worthy rival of the famous 'Norfolk System' of England.

The local chroniclers of Loudoun have generally overlooked the part the Catoctin border land played in the history of the Northern Neck proprietary. It was, indeed, of small significance in the development of the community, but should be recorded here if only to note the disappearance of what was once an important local landmark.

When, in 1732, Lord Fairfax heard of Robert Carter's death he apparently determined that there should be no more opportunity for such diversions from his inheritance as the 'King' had made during the years of the lease of the proprietary. So it was that the power of attorney sent out to Massachusetts to authorize William Fairfax to assume charge of the Proprietor's interest in Virginia in succession to Carter, was limited

in its terms to *collecting* what might be due the estate: there was no authority in it to grant lands.²¹ The consequence was that the Proprietor's land office remained closed from Robert Carter's death in 1732 until Lord Fairfax had himself come to Virginia and had been through the travail of the great survey of the Northern Neck. Then, and then only, did he re-open his land office for a few months in the summer of 1737. This was at William Fairfax's house in King George, but the Proprietor himself signed the few grants then recorded²² before he sailed away to be on the ground in London when the cause of *Virginia v. Fairfax* should come on to be heard by the Privy Council.

As the Proprietor did not enlarge his Agent's powers when he left, the land office closed again automatically. Doubtless Lord Fairfax expected a speedy settlement of his litigation; certainly he planned an early return to Virginia. But the case dragged and after two years the pressure from Virginia to re-open the office was so great that he was forced to give his Agent power to grant lands. Apparently he did so unwillingly and only with a warning that there must be no more Carter manors.

Beginning in May, 1739, there now ensued during the eight years William Fairfax exercised the full proprietary powers, that flood of small grants which completed the land map of old Prince William. The significant thing about these grants is that for the first time in the history of the proprietary the plenipotentiary appropriated very little in his own name. He did, indeed, issue, on the Carter precedent, a number of grants, scattered all over old Prince William, in the names of his younger children, and his wife's Salem brothers, of friends like Parson Charles Green of Truro, or of employees like Edward Washington,²³ but they were moderate in acreage, individually and collectively. On Cedar Run, at Pignut, on Little River and on the upper waters of Goose Creek, he thus took up boundaries, most of which had been surveyed in Carter's day, but for which no grants had issued pending the payment of the composition. This was in a measure a clearing

out of the arrears of the office. In no case did any of these acquisitions exceed a thousand acres in one parcel. Such reticence did not, however, mean that William Fairfax failed to appreciate or to act upon his opportunity to build a fortune for his children. He was not backward in his acquisition of land in the large tracts which the contemporary Virginia fashion demanded of one of his place in the world. The difference was that he bought his lands. This fact is illustrated by his principal investments which become significant at the point we have now reached in the development of the map of old Prince William because it happens that the largest part of William Fairfax's Virginia estate was laid like a cap stone upon the Catoctin region.

The earliest land speculators in that region who, in 1731, took grants for the lands of which they found the Germans in possession, were as has been noted Francis Awbrey, Benjamin Grayson, Catesby Cocke and John Mercer. In 1740 John Colvill²⁴ bought out them and many lesser men and, by pre-arrangement, divided the territory with William Fairfax. Keeping for himself the lands lying between Catoctin Creek and the Catoctin Ridge and stretching from the Potomac to Waterford, he conveyed to William Fairfax 46,466 acres, constituting all the territory on the Potomac lying between Catoctin Creek and the Shenandoah River, including the Blue Ridge from Gregory's gap to Harpers Ferry.²⁵ The purchaser divided this property at the Short Hills into two estates, naming the northern one 'Shannondale,' and the southern one 'Piedmont,' and administered them as manors, on leases for three lives. By his will he left these lands, with his mansion house, Belvoir, to his eldest son, and the latter in turn, by his will of 1780, entailed them, with the intention that they should constitute the 'plantation' of Belvoir House, always to be held with it. But soon after this last will was written, the success of the American Revolution made it necessary for George William Fairfax, by codicil, to change his testamentary dispositions and his proposed entail was never made effective.

In the early years of the nineteenth century 'Shannondale'

and 'Piedmont' were squandered away in fruitless speculations²⁰ and, as a consequence, it happens that the good people who live today on those lands, in Berkeley and 'Between the Hills' in Loudoun, do not know the name Fairfax. Even the tradition of how intimately that name was once associated with their lands has dissipated like the smoke of their ancestors' chimneys.

NOTES TO CHAPTER TWENTY

¹ *Gazetteer of Virginia*, 1836, p. 210.

² *N. N.*, C: 40.

³ *N. N.*, B: 151, 157; C: 101.

⁴ *N. N.*, C: 178; D: 54.

⁵ The tradition is that there were several families of other than German origin established east of the Blue Ridge at this time. We have noted the existence of Williams' cabin there. Mr. Kilgour says (*History of Loudoun County*, MS.) that about 1732 'Nicholas Osborne and John Osborne came from the Valley and settled at the foot of the Blue Ridge just above Woodgrove.' Neither name appears in the land grants.

⁶ *Shepherdstown*: See Graham, *The Planting of the Presbyterian Church in Northern Virginia*, 1904; Dandridge, *Historic Shepherdstown*, 1910. Here Thomas Swearingen was licensed in 1755 to maintain a ferry (Hening, vi, 494, viii, 263), and here Thomas Shepherd laid off his land as a town before 1762, as recited in the act (*ibid.*, vii, 600) by which it was established under a name (Mecklenburg) significant of the origin of its population.

⁷ Head, *Loudoun County*, 1908, p. 111.

⁸ *N. N.*, C: 104.

⁹ Kilgour, *History of Loudoun County* MS.

¹⁰ Samuel M. Janney, *History of the Religious Society of Friends from its rise to the year 1828* (1870), iii, 248.

¹¹ The original minute books of Fairfax Monthly Meeting, a mine of genealogical material, are preserved in the Friends' Library at the Park Avenue Meeting House in Baltimore.

¹² In Yardley Taylor's admirable *Memoir of Loudoun*, 1853, is expressed the Quaker feeling toward their German neighbours: 'The north western parts of the County were originally settled by Germans, principally from Pennsylvania, and many of their descendants remain Many old log houses that are barely tolerable are in use by persons abundantly able to build better ones.' It is at once fair and interesting to compare with this the warm eulogy of the industry of these Germans in Scharf, *History of Western Maryland*, 1882. See also the estimate of their influence upon American character in Hermann Schuricht *History of the German Element in Virginia*, 1890. That nationalist German author cannot restrain, however, an expression of impatience

at their acceptance of the obligations of American citizenship. His chapter xi 'Retgression of the German Type' is illuminating in the light of subsequent events.

¹² At the election of 1861 the Loudoun precincts of Waterford, Lovettsville, Hoysville and Neersville gave majorities against secession. They have since consistently cast substantial Republican votes.

¹³ *The Loudoun Rangers*: 'All the officers and privates were either of German, Quaker or Scotch-Irish lineage; the first named class predominating,' testified Briscoe Goodhart in his *History of the Independent Loudoun Virginia Rangers (U. S. Volunteer Cavalry Scouts) 1862-65, 1896*. Apart from its war stories, this little book is valuable for its casual record of traditions of the Loudoun Germans (*e. g.*, that they introduced the black heart cherry tree into Virginia), for, unlike Germantown, no literature has emanated from 'between the Hills' and little is known of the origin and migration to America of its inhabitants.

¹⁴ *Partizan Life with Mosby, 1867*. 'When within fifty yards of the Loudoun Rangers the order to charge was given. Two of them were killed, four wounded and 65 taken prisoners, together with 81 horses with their equipment. The rest of the command sought refuge in the bushes. The only loss which Baylor sustained was Frank Helm of Warrenton, who was wounded as he charged among the foremost into the camp.'

¹⁵ Arthur Keith, *Geology of the Catoctin Basin*. U. S. Geological Survey, 1893; Carter and Lyman, *Soil Survey of the Leesburg Area*, U. S. Dept. of Agriculture, 1904.

¹⁶ *Writings of Washington*, ed. Ford, xi, 178. With this should be compared Dr. Schoepf's contemporary description (*Riese*, 1783, ii, 32) of the economy of tobacco planting, in which the old field was substituted for manure, as he observed it in lower Virginia.

¹⁷ J. A. Binns, *A Treatise on Practical Farming*, Frederick, Md., 1803. Thomas Jefferson's copy of this rare bibliographical 'item' is in the Library of Congress. It is discussed and the facts about Binns' life are collected by R. H. True in *W. & M. Quar.* (2d Series), ii, 20.

¹⁸ On June 10, 1787, during the Constitutional Convention at Philadelphia, Washington entered in his diary: 'Rid to the farm of one Jones to see the effect of plaister of Paris, which appeared obviously good.' This is followed, on October 29th, after his return to Mount Vernon, with the entry: 'Spread, whilst it was raining, 2 bushels of the plaister of Paris had from Philadelphia, on the South half of the lawn.'

¹⁹ Jefferson MS., Library of Congress.

²⁰ This power, dated February 20, 1733/4, was recorded in Prince William, (*D. B.*, B: 349) September 18, 1734, soon after William Fairfax had reached Virginia.

²¹ They included the Proprietor's own earliest manors of Leeds, Shenandoah and Great Falls (*N. N.*, E: 28, 34, 38).

²² *Edward Washington*. The breeding of this worthy has so far eluded the genealogists. He was not of George Washington's immediate family, if related to him at all. In the land grants issued in his name in 1737, and thereafter, all of which he immediately transferred to William Fairfax, he is described as 'yeoman' and 'planter.'

In 1737, he was 'sub sheriff' of Prince William (*Truro Vestry Book*, ed. Goodwin, p. 15) and in 1748 he was one of the inspectors at Occoquan and Pohick warehouses (*Journals H. B.*, 1742-49, p. 299). The intimacy of his business relations with William Fairfax suggest that at this time he was in some way attached to the Northern Neck estate office, probably as a collector. He lived on the upper or Fairfax shore of the Occoquan, and in 1753 was one of the original trustees of Colchester (Hening, vi, 396). In 1765 he was an unsuccessful candidate for election to the Truro vestry (Goodwin, p. 44). This Edward Washington died in 1792 at a great age, leaving a will which was proved in Fairfax. In this he named a son, Edward, who had been a Truro vestryman from 1779 to 1785 (Goodwin, pp. 94, 110). When George William Fairfax's estate was settled in 1788, it was found that 'Capt. Edward Washington' had a two year lease of the Belvoir fisheries (Bataille Muse's inventory MS.). In 1802 he was the successful defendant against Charles Carter of Shirley of a local title to the 'copper mine landing' tract on Occoquan (See *post*, p. 432). He appears in the records also in several minor public capacities down to his death in 1813. Albert Welles (*Washington Family*, 1879, p. 308) gives the wills of both these Edwards and conjectures that they were descended from the immigrant, Lawrence. This was safe because in 1786 Lund Washington had stated of the elder that he 'believed him to be a relative from his strong resemblance to the family,' and because the Stafford Washingtons had not been developed genealogically when Welles wrote; but Dr. Stanard's subsequent pursuit of them (*Va. Mag.*, xxii, xxiii) revealed no Edward at all, not even that earliest one to whom William Fitzhugh refers in March, 1681/2 (*Va. Mag.*, i, 47).

²⁴ John Colvill, born in Newcastle on Tyne, of a family which had there prospered as merchants (See the pedigree in *Archeologia Aeliana*, second series, xix, 115), was trading in the Potomac with his own ship in 1733 (See the minute of his appearance before the Virginia Council, April 26, 1733, in *Council Journal*, C. O., 5: 1420, p. 129), and by the following year had established himself in Prince William on a plantation he called 'Cleesh,' lying on Great Hunting Creek. (See his deeds of October, 1734, from the heirs of Thomas Simmonds in *Prince William D. B.*, B: 444, 464, 488). He was at once commissioned of the county court and elected a member of the Truro Vestry (*Council Journal*, April 23, 1734; *Truro Vestry Book*, ed. Goodwin, p. 8). Thereafter his name appears frequently in the land records in relation to large transactions. He took an active part in the militia and in 1740 was Colonel of Prince William. The next year he was a candidate for the Assembly and was defeated in a close contest by Thomas Harrison in the poll headed by William Fairfax (Boogher, *Gleanings*, 116); but when, in 1743, Fairfax was advanced to the Council, Colvill succeeded to his seat in the Assembly and thereafter sat until 1747 (*Journals H. B.*, 1742-49, pp. 77, 78). He died in 1755 (See his will dated May 6, 1755, and proved January 20, 1756, *Fairfax W. B.*, B, No. 1, p. 97). The Catoctin lands he retained after his transactions with William Fairfax, aggregated 16,290 acres (*N. N.*, E: 502). Colvill devised these lands to the contemporary earl of Tankerville, who had married his cousin, and they remained so vested until the American Revolution (Hening, viii, 554; *W. & M. Quar.*, vi, 62).

John Colvill's brother, Thomas, who had long lived in Cecil County, Maryland, died at Cleesh in October, 1766, aet. 78 (*W. & M. Quar.*,

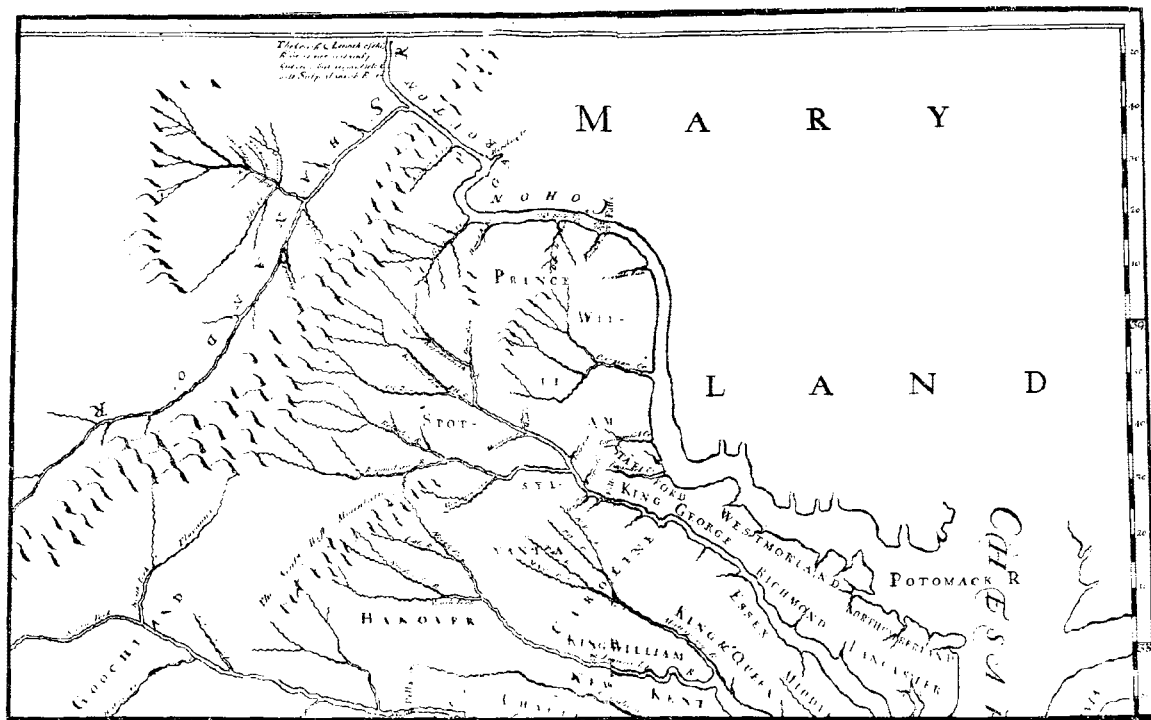
iii, 267; *Md. Hist. Mag.*, xviii, 179), having named George Washington as one of his executors (See his will dated October 8, 1766, and proved January 6, 1767, in *Fairfax W. B.*, B, No. 1, p. 424, and for the trouble in which it involved the executor, *Writings of Washington*, ed. Ford, ix, 474; xiii, 164; *Archeologia Aeliana*, second series, ii, 120; *ante.*, p. 139). Cleesh then passed under John Colvill's will to the earl of Tankerville, who sold the house to Charles Little, and subdivided the land into lots. On one of these lots, purchased in January, 1789 (*Fairfax D. B.*, R, No. 1: 365, 369), Bryan Fairfax built his house 'Mount Eagle,' which is marked on Thomas' *Plan of the Town of Alexandria*, 1798.

²⁵ Colvill's four deeds to William Fairfax, all dated January 23, 1740/1, are recorded in *Prince William D. B.*, E: 191, 199, 207, 219. With 'Shannondale' and 'Piedmont' they conveyed 'Springfield' and 'Towlston.' The two last named tracts were on Difficult Run and aggregated 6,997 acres. The consideration named in all these conveyances is sterling money at the rate of two shillings per acre.

²⁶ *The passing of Shannondale*: By his will, proved in England in 1787 (P. C. C. *Major*, 319) George William Fairfax left all his property to Ferdinando Fairfax (1769-1820), second son of his brother, Bryan, who thus became his successor in title to 'Belvoir,' 'Shannondale' and 'Piedmont,' besides other property in Virginia and in England. For this Ferdinando of 'Shannon Hill' (where the long-frequented Shannondale Springs hotel afterwards stood), see Brockett, *The Lodge of Washington* (1876). His speculations have left a melancholy record, beginning with the bridge he built over the Shenandoah in 1797 (Shepherd, ii, 127), and continuing with his iron works and land ventures (See *Recollections of Admiral R. R. Wormeley*, 1906, and the opinions in the reported cases of *Fairfax v. Muse*, 2 Hen. & Mun., 558; 4 Mun., 124; *Fairfax v. Lewis*, 23 Va., 20; 11 Leigh, 233).

PART FOUR

The Political Pedigree



Gooch, 1730.

CHAPTER TWENTY-ONE

The Parishes and Their Churches

IN its original political subdivision the territory of Prince William is distinguished by a difference from the older communities of the Northern Neck, which is significant of contemporary social development on the frontier.

Throughout the seventeenth century the practice of the Assembly was to create counties as they were necessary and to require the county courts to divide them into parishes;¹ but in 1730 it began itself to assume the function of creating parishes also. What is most interesting about the new policy is that henceforth the organization of the parish preceded the organization of the county, and so reversed the old practice. While nowhere declared, it is evident that this change, like the increase of the property qualification for the suffrage which soon followed it,² was stimulated by the new problems of government which grew out of the influx upon the frontier of a numerous undisciplined population, a population which included east of the Blue Ridge many Irish ex-servants and English ex-convicts who had served their time in the tidewater plantations, and, west of that boundary, was coloured by aliens who had never known Virginia at all. The colonial tradition of individualism recognised that the new citizens should be given at once the largest measure of local self-government consistent with the public security; but it was apparently felt that, until they had proved their political capacity, there should be caution in entrusting them with all the independence implicit in county administration. It is by the existence of such a sentiment that we can interpret the entirely new hesitations, frequently revealed by the Journals of the House of Burgesses, during the first half of the eighteenth century, to respond to demands for the erection of new frontier counties, even when the increment of population justified such action on the old precedents. The principle was

laid down in the act of 1705³ that large frontier counties were necessary for military protection, wherefore it was declared that no existing county henceforth should be divided 'unless there shall be left in the upper county at least 800 tithable persons.' It is probable that Spotsylvania and Brunswick satisfied this test in 1720, certainly the former soon exceeded it, but for some years the measure was rather of quantity than quality. As a result of this experience a new county was henceforth authorized only when and as there were established as residents within its boundaries enough men of substance to give assurance of conservative administration, but meanwhile the argument of population was met by the creation of new frontier parishes. To appreciate this distinction the modern Virginian must read his history forward rather than backward, as has been his habit, and realize the function of the parish in the colonial period. His political principles, rooted in the revolutionary tradition of animosity against an established church, predispose him to picture the parish as a mere agency for the collection of levies to support a sometimes free-living parson who enjoyed special privileges at the expense of his ancestors. But the eighteenth century parish was much more than that. It was a civil as well as an ecclesiastical jurisdiction. It was, indeed, the inherited primary unit for the mutual distribution of the burdens of group taxation, a degenerate representative of the Anglo-Saxon 'vill' which left progressively more degenerate descendants in the present day magisterial districts.⁴ It had absorbed certain duties of local government and police which only historically had to do with the church, such as the presentation of moral misdemeanors, the administration of poor relief, the discipline of vagrants, the education and apprenticing of bastards, and the processioning of lands.⁵ As a necessary consequence of this combination of function, the churchyard became the forum for the debate of local politics between the meetings of the county court and the vestryman there had opportunity to prove his mettle.

The new practice of the Assembly in the creation of parishes thus became an expedient, as population spread, to set up

schools in which the vestryman, as the only local magistrate who was chosen by popular vote, might be trained to assume the larger responsibility of a county court justice appointed to represent the Crown. That the precaution was justified is apparent from the number of occasions on which the Assembly had to dissolve vestries in the new parishes because they had failed properly to function.⁶

It is necessary, then, to begin the study of the political pedigree of old Prince William with the parishes, for in that territory, in the generation between 1730 and 1760 we shall find the parish of Hamilton developing first into the County of Prince William, and again, after Dettingen had been deducted from it, into the County of Fauquier; while the parish of Truro grew into the County of Fairfax and the parish of Cameron into the County of Loudoun. Finally, to complete the illustration of the thesis, in 1782 and 1795 there were before the Assembly unfulfilled petitions to erect the parishes of Shelburne and Leeds also into new counties. That this was not accomplished means simply that the process of development, which began in 1730, was arrested by the ending of the old *regime* before the promotion of the two youngest parishes could be justified.

When, in 1664, the County of Stafford was carved out of Westmoreland above upper Machotic Creek, the existing Northern Neck parishes on the Potomac were Great Wycomico and Bowtracy in Northumberland; Cople and Washington in Westmoreland. Following this precedent, the new county also was divided into two parishes, separated by Potomac Creek. This division was undoubtedly prescribed by the Council, for the earliest court minutes refer to the two parishes as accepted facts, described only as the 'upper' and the 'lower' parishes. That this was a division of the territory more for the purpose of civil than ecclesiastical administration appears from the fact that until well into the eighteenth century, and long after they had assumed the names of Overwharton⁷ and Chotank,⁸ these two parishes had but one parson to serve them both.

It is with the 'upper' parish that we are concerned, for it included all the territory of Virginia drained by streams emptying into the Potomac above Potomac Creek. Parson Alexander Scott could thus justly observe in 1724 'the bounds of my Parish is not known.'

This vast area retained the name Overwharton only until January 1, 1730/1. For the first time undertaking to create a parish, the Assembly had provided that 'as of that day all the Potomac frontier above a line extending from the mouth of

'Chopawansick Creek in a South-West line to be made from the head of the north branch of the said Creek, to the parish of Hanover'

in King George, should be a new parish with the name of Hamilton.' A year later, after Prince William had come into existence, Hanover parish was also docked and that part of it which lay north and west of Deep Creek was added to Hamilton.¹⁰ This increment included the territory of the streams draining into the north fork of the Rappahannock and made that parish co-terminous on the west with the new county of Prince William.

Although it was to be many years¹¹ before the notable brick churches, which Bishop Meade described, were built for St. Paul's ('Potomac'), Overwharton ('Aquia'), and Dettingen ('Quantico'), it appears that the sites of all of those churches were selected as early as 1667. On April 3rd of that year Stafford Court ordered

'that the Minister preach in three particular places in this county, viz: at the Southwest side of Aquia, at the Court House, and at Choatank at the house belonging to Mr. Robert Townsend: to officiate every Sabboth day in one of these places until further order.'

Some months later (October 28, 1667) this was supplemented with a provision that

'Whereas there is no certain place in the upper precincts of the county for the reading of divine service, the Court doth

order that John Withers, Church Warden for those precincts, agree for a house to read in, in the most convenient place.'

The first of these minutes proves that Aquia was the original parish church of Overwharton, and it seems to follow from the second that Quantico became, almost contemporaneously, the first chapel of ease of that parish. Churches so located would have sufficed for the population of the 'freshes' until the beginning of the eighteenth century. The activity of seating above the Occoquan after 1700 by the Masons, Owsleys, Wests and others would, however, have required, soon after that year, a chapel also in that new upper precinct; and there is record evidence that Overwharton duly met this demand by building the second chapel referred to in Parson Scott's report of 1724 as the original of Pohick church. A contemporary plat¹² bears witness that in 1715 such a chapel stood, in what was later known as the Belvoir neck, on the south side of Dogue Run, immediately below the mouth of Piney Branch and above a 'county main road' (i. e. the Potomac Path) leading to the Occoquan. Before 1730, however, this had been superseded by a house of worship which stood 'above Occoquan ferry' for by that description was identified the church in which the Assembly directed that Hamilton parish be organized.¹³

Almost contemporaneously with the complete political consolidation of the territory between the Potomac and the north fork of the Rappahannock the process of subdivision began. In this process the parish units lead and went furthest. Hamilton was destined to be separated into seven parishes, while Prince William was cut up into only five counties, but in each case the carving was done in two groups, originating above and below the Occoquan. In respect to those groups we now proceed to follow the parish development.

I. THE PARISHES ABOVE OCCOQUAN.

Truro

In 1732 the parish of Hamilton was first docked by the

erection of a new parish of Truro¹⁴ to include all of Prince William north and east of a line running

‘by the river Ockoquan and Bull Run (a branch thereof) and a course from thence to the Indian Thoroughfare¹⁵ of the Blue Ridge Mountains.’

The Overwharton chapel, which was described in the act creating Hamilton parish as standing ‘above Occoquan ferry,’ now became the parish church of Truro. It was designated in the Truro vestry book as ‘Occoquan Church’ until 1733, when the name ‘Pohick’ was assumed, indicating that the building was near the ford by which the Potomac Path crossed Pohick Run. This church stood and was in use until 1772, when the parish moved into the still surviving Pohick brick church, on which construction had been begun in 1767.¹⁶ The location of this final parish church of Truro, which took with it the name of its predecessor, was determined after some debate between George Mason and George Washington, of which Bishop Meade preserves the well known amusing anecdote. The future father of his country carried the day, and the new church was built not on Pohick but some two miles to the north of the ford, at the cross roads made by the ‘back road’ from Occoquan to Alexandria and the Ravensworth Rolling Road leading to Pohick warehouse. The explanation of the move is that the new site was relatively as convenient to Belvoir and Mt. Vernon as the old site had been to Gunston.¹⁷

Meanwhile, as the population of Truro spread north up Four Mile Run and along the Potomac and more slowly west towards Bull Run, Truro undertook to keep pace by providing everybody with a convenient chapel of ease. In the matter of church building Truro indeed made a record which surpassed that of any other parish in old Prince William. During the first sixteen years (1732-1748) of the incumbency of Charles Green, a merry Irishman who could get what he wanted done and was at once physician of bodies and physician of souls, three new churches were built by the vestry; and after the parish had been twice docked the work went on until all-told Truro

vestry was the author of six churches of which two were of notable brick construction. In the order of their priority these chapels of ease were as follows:

(a) *Falls Church*: Soon after Truro was established, services were held at the house of William Gunnell, on the upper waters of Four Mile Run.¹⁸ It was soon found that a more convenient location would be the nearby crossing of those pioneer avenues of immigration, the road leading up the ridge from Hunting Creek to Difficult, and the road which lead from Magee's (later Francis Awbrey's) ferry over the Potomac below the Little Falls; and there the vestry determined to build an 'upper church.' In March, 1733, they ordered the construction of 'a church at the cross roads near Michael Regans.' This was the site on which 'Falls' Church ever since has stood.¹⁹ There was an addition made to the original church in 1750, and in 1763, before it passed out of the control of Truro, the vestry resolved to rebuild it of brick;²⁰ but that achievement was reserved for Fairfax parish.

(b) *The Chapel above Goose Creek*: On April 6, 1733, the Truro vestry arranged for services to be held 'at the Chapell above Goose Creek.' Later entries in the vestry book show that Francis Awbrey was engaged from 1733 to 1735 in building and completing such a chapel. This was the first church built in what is now Loudoun. It stood on the stream originally called Cool Spring Run, at the head of that notable landmark, the 'Big Spring,' beside which now runs the main road between Leesburg and Point of Rocks.²¹

(c) *Rocky Run*: In 1745 the Truro vestry ordered that a chapel be built on the western (or Bull Run) boundary of the parish to balance that on the eastern (or 'Falls') boundary. In April of that year the general location was settled as between Salisbury Plain Run and Little River, and in May this was specified as 'at or near the spring nigh Mr. Hutchinson's and the Mountain Road.' This was Andrew Hutchinson who was then a member of the Truro vestry and had taken, in 1726, a land grant on the west side of Salisbury Plain Run. In August, 1745, Hutchinson duly made a deed for the site so selected, but,

before construction on the new church began, the vestry changed its plans and ordered that the 'church be built at Rocky Run instead of the place already appointed, it appearing there is no water there.' Thereafter a chapel actually was built at Rocky Run, which certainly was in existence in 1752, when a reference to it appears in the minutes of Fairfax court. It was on lands of Willoughby Newton and was the original of the church at Newgate (Centreville).²³

(d) *Alexandria*: In 1751 the town of Alexandria, then two years of age, held a lottery for the purpose of raising funds to build a church.²³ There is no mention in the Truro vestry book of any parish levy for the construction of such a church, but in 1753 Parson Green was instructed to preach at Belhaven every third Sunday.²⁴ It thus appears that the original of Christ church was, like the contemporary construction of a new Fairfax court house in Alexandria, a voluntary undertaking of town promotion, and stands as another testimony to the enterprise of the Scots merchants who had founded that town.

(e) *Payne's*: In 1765 the Truro vestry arranged for regular services in a tobacco barn on the plantation of Samuel Littlejohn. The site of this plantation has not been identified, but it seems likely that it was in the vicinity of Edward Payne's plantation 'on the middle ridge near the Ox road,' where the brick church, thenceforth known as Payne's, was built in 1766, and stood until it was dilapidated during the war between the states.²⁵

Cameron

The year 1748 marked the culmination of a stirring period in the history of the 'freshes' of the Potomac. The development of trade marts on Quantico and Hunting Creek had been followed by a large increase in the population of the back country. Thus it was that at the same session of the Assembly in that year the towns of Dumfries and Alexandria were created and a new parish of Cameron was authorized in the upper end of Truro.²⁶ The southern boundary of that parish was described as a line running from the Potomac up

'Difficult Run and its meanders from the mouth to the head thereof, and from thence by a line to the head of Popeshead run and down the said run, its several courses and meanders, to the mouth thereof'

where it empties into Bull Run. For ten years the new parish maintained this line but after Loudoun had been laid off, with its (original) southern boundary defined by Difficult and Rocky Runs, an area of Cameron lying on Bull Run between Popeshead and Rocky Runs was left in Fairfax, separated from the county in which lay the remainder of Cameron. This inconvenience of having the parish in two counties was then taken to be justification, by an act of 1762,²⁷ to restore to Truro 'all that part of the said parish of Cameron that lies below the present established lines that divide the said counties of Loudoun and Fairfax.'

The Cameron vestry book is lost and definite records are lacking for the history of its churches. It seems, however, that the new parish at once established the location of its church midway between the two chapels it had taken over from Truro, viz, that 'above Goose Creek' and 'Rocky Run.' The evidence is that the first such church was built in the branches of Sugarland on the eastern ridge road leading from Hunting Creek, via Falls Church and the first Fairfax Court House (Tyson's Cross Roads) to the Blue Ridge at Key's (*alias* Vestal's) gap. This was the point where later a junction was effected by 'the roads from Georgetown and Alexandria to Leesburg,' where Bishop Meade was informed there had once been a church.²⁸ But apparently (for we must still conjecture) the original church on Sugarland was superseded by another at Gum Spring on the upper waters of Broad Run, of which Bishop Meade saw the remains; and this in turn gave way to the still later church which was built on the 'Frying Pan' branch of the Horsepen of Broad.²⁹ These three churches were all of wooden construction, and disappeared after the Revolution. Of the Cameron churches, only Rocky Run and Big Spring persisted into the nineteenth century.

Fairfax

The concentration of population in and about Alexandria after 1749 lead to a local demand for a separate parish. Application for authority to secede from Truro was first made to the Assembly in 1761, but, being opposed, was continued from year to year. Finally, in 1764, the influence of Alexandria prevailed and a bill for a division was passed.³⁰ By this a new parish of Fairfax was erected above the boundary of a line running

‘by Doeg creek, from the mouth thereof to Mr. George Washington’s mill and from thence by a straight line to the plantation of John Munroe and the same course continued to the line that divides the counties of Fairfax and Loudoun.’

When the effect of this legislation was checked up it was found that the proposed division would have resulted in Truro being reduced to half the number of tithables there were in the new parish; and, more than that, Truro woke up to the loss of some of the largest individual contributors to her levies, including ‘Mr. George Washington’ whose mill was mentioned. There was a prompt and effective protest and at the next session of the Assembly a bill was introduced to rectify the boundary.

The new parish now offered³¹ a compromise line, beginning at

‘Clifton’s (or Johnson’s) Ferry on Potowmack River to run from thence over the Ford on Dogue’s Run where the back road from Colchester to Alexandria crosses the same and from there to the Fork of Difficult Run.’

Truro declined this, but at last (May, 1765) an agreement was reached and the boundary was defined³² as

‘from the mouth of Little Hunting Creek up the same to the forks thereof; thence up the meanders of the South branch thereof to the Gum Spring thereon; from thence by a straight line to the ford of Dogue run where the back road

from Colchester crosses the said run and from thence by a straight line to the forks of Difficult.'

The new parish at once began church building. In 1767 the vestry contracted to replace both Falls and Alexandria (not yet known as Christ's) with the brick structures which still survive. The former was completed in 1769 but the latter not until 1772.⁸¹

Shelburne

In May, 1769, the 'Minister,⁸² Vestry and other inhabitants of the Parish of Cameron in the County of Loudoun' petitioned the Assembly, representing that 'the said Parish is very extensive and inconvenient to the People who reside in the upper Parts thereof' and submitted a plan of division which they prayed might be authorized.⁸³ The Assembly held this reasonable and ordered a bill, but the matter went over to the next session. Then it developed that there was opposition to the plan. Nevertheless, the Assembly stood by the petition in principle and a division was enacted by a bill which became law in June, 1770, creating a new parish of Shelburne.⁸⁴ The boundary was described as a line running

'by Goose Creek, beginning at the mouth thereof and running up the same to the mouth of Little River, thence up the said Little River to the intersection of the line dividing the land of James Mercer, esq., and John Evans, thence along the said line and the several lines dividing the lands of the said Mercer and Wilkinson and Hunter, Charles West and Robert Burwell, esq., to the line of Fauquier County.'

So far as the Church was concerned, Shelburne was, in 1770, a parish *in partibus*. Lying between Goose Creek and the Blue Ridge, it included not only the stronghold of the Loudoun Quakers, but that 'German settlement' under the mountains, which had not yet been assimilated by Virginia civilization. There was, too, of course, an infiltration of dissent among the Irish element of the population, though perhaps this was not as strong as it then was 'in the adjacent

parish of Leeds. In this situation the tidewater gentry who had seated plantations below Leesburg and up the valley of Goose Creek contrived to control the vestry and, armed with the authority of the law, took up not only the civil functions of the office but assumed the then unprofitable task of establishing the Church. They levied the cost of a glebe upon a resentful population and were only deterred from building a parish church because the Revolution intervened before they could agree on a site. Church services were meanwhile held, according to Bishop Meade, at Leesburg [i. e., Big Spring Church], the Pot House and Middleburg, all localities in which the church was cheerfully supported, while a missionary 'Mountain Chapel' was established in the Short Hills.

As a result of the feelings generated during its brief history, the post-Revolutionary demand on the Shelburne vestry to surrender its glebe to the overseers of the poor was insistent and vigorously maintained. A few devoted churchmen who had served on the last vestry drew out the resistance, but ultimately were compelled to surrender. Their case⁸⁷ is an interesting contrast with that of Fairfax parish: the difference seems to have been not so much of law as of social atmosphere.

II. THE PARISHES BELOW OCCOQUAN.

Dettingen

Upon the organization of Truro, the docked, but still vast, parish of Hamilton lying altogether South and West of Occoquan and Bull Run, took over as its parish church the original Overwharton chapel on the Quantico. The site was near the Quantico warehouse where the town of Dumfries was soon to arise. Bishop Meade testifies from the Dettingen vestry book that in 1744, when Hamilton was again divided, 'an old and indifferent church' stood 'near [the site of] Dumfries' which, in 1752, was sold 'for fifteen hundred weight of tobacco' to make way for a brick church.⁸⁸

During the twelve years which followed the separation of Truro from Hamilton, the 'back country' of the latter (now

lower Fauquier) was beginning to assume an individual character, due to the infusion of Rappahannock influences among its population. The warehouses at Falmouth and on the Quantico were now launched upon an active and aggressive rivalry. It was then inevitable that there should soon be a proposal to dock Hamilton again.

This was done in 1744³⁹ when the parish was divided by a line

‘to be run from the dividing line of Stafford and Prince William counties a straight course to the head of Dorrel’s run: thence down the said run to Cedar run: thence to the fork of Broad Run near the lower line of colonel Charles Carter’s tract called Broad Run tract: thence to the mouth of Bull-Lick run, opposite Jacob Smith’s, in Fairfax County;’

and it was provided that the upper parish should retain the name Hamilton, while the lower parish should take the name Dettingen in memory of the recent battle at which the eponymous hero of Prince William had had the honour to be wounded.⁴⁰

The angle of the boundary so established, destined to control also the limits of Leeds parish, was in the first important fork of Broad Run above its confluence with Cedar at the mouth of the stream then known as the ‘North Branch’ but designated North Fork on the modern map; and the eastern terminus on Bull Run was at another landmark of the Carter grants which is designated in the early surveys ‘Muddy Lick’ and ‘Licking Branch,’ as well as ‘Bull Lick,’ and appears as ‘Young’s Branch’ on the modern map.⁴¹

On the separation of Dettingen from Hamilton, the former took over the original church on Quantico. It is possible that it took over also another wooden church in the neck at the confluence of Broad and Cedar, for a large part of the Brenttown tract was left in Dettingen and, in 1744, that neighbourhood was already well populated with Chotankers who would have been more likely than any others then on the frontier to build a church. At all events, in 1752, the Dettin-

gen vestry undertook the construction of two notable brick churches on the sites mentioned above.⁴² Bishop Meade, who had access to the Dettingen vestry book, says that the Quantico church then built cost 'one hundred thousand weight' of tobacco, and so, doubtless, did Broad Run church, which was of the same size. Of the latter, the Bishop adds: 'the Church at Broad Run was . . . contracted for in 1752 . . . of brick and very substantial. . . . It has not been many years since the roof and walls . . . fell to the ground. . . . There were galleries in the Church at Broad Run, one of which was . . . put up by Mr. Thomas Harrison.'⁴³

During this period the parson of Dettingen was James Scott, the worthy younger brother of Parson Alexander Scott, whom we have already met in Overwharton.⁴⁴

Hamilton

For a quarter of a century, from 1744 when Dettingen was created until 1769 when Leeds came into existence, the parish of Hamilton consisted of the territory of what is now Fauquier, plus the upper end of Prince William. For the earlier portion of this period (prior to 1752) there are few surviving county records, while the Hamilton vestry book is gone altogether, destroyed a leaf at a time, as one eats an artichoke, in the Fauquier Clerk's office.⁴⁵ There is thus little material upon which the historian may reconstruct the society of Hamilton at this time. This is unfortunate for it was a formative period when significant social changes were in progress. It does appear that the centre of gravity of the population of the parish was then in what has since been known as lower Fauquier, and, for this reason, it is fair to assume that a chapel was built in this region soon after Hamilton was first established, and that it was that chapel, promoted in 1744 to be the parish church, which we find ten years later on the Fredericksburg-Winchester road where that highway crossed Elk Run.⁴⁶ This site was convenient to the gentry who were

then seated in this region," but it left all the wide, if still thinly settled, area on either side of the Bull Run Mountains exposed to the individualistic religious practices of the Scotch-Irish and the presbyterian Germans who were then the characteristic population of that region. There was in this situation an unexampled opportunity for an active missionary minister, but none was forthcoming. That good man, James Keith (a grandfather of Chief Justice Marshall), was parson of Hamilton at the time of the separation of Dettingen, as he had been since he came from Henrico in 1733,⁴⁸ and he continued in the cure of the upper parish until his death in 1751. For all the ardours of his generous youth which had taken him 'out' for the Pretender in 'the 15,' and after that failure had left him the enterprise to face a migration to Virginia, it does not appear that Parson Keith was a fisher of men. Perhaps application might have been made to him of Samuel Davies' contemporary criticism of the Virginia clergy as a class that they 'were generally degenerating from the Calvinistical articles of their own Church and careless about strengthening the things which remained.' But whatever were his failures in his shepherding duty at this critical time, Parson Keith was a flaming pillar of righteousness compared with the notorious individual who next succeeded to his responsibilities.

In July, 1753, John Brunskill, jr.,⁴⁹ was collated parson of Hamilton and he seems thereafter to have secured the unusual privilege of being presented by the vestry and inducted by the Governor.⁵⁰ In this way he succeeded in rooting himself in a legal tenure of the parish. Once securely established in charge of the churches and on the glebe (which was a part of the Germantown tract⁵¹) he gave loose to his natural appetites, for he seems to have been one of the class of church of England parsons which John Hammond described as the curse of seventeenth century Virginia, 'such as wear black coats, babble in a pulpit and roar in a tavern, and . . . rather by their dissoluteness destroy than feed their flocks.'

Commissary Dawson 'reproved, advised and exhorted him;' but in vain, as was perhaps natural because that prelate was himself no anchorite. At last Brunskill's conduct became an open scandal 'to the great joy and triumph of the Newlights.' In April, 1757, the vestry preferred written charges against him 'for divers immoralities such as profane swearing, Drunkenness and immodest actions,' and sent one of their number, Joseph Blackwell, to Williamsburg to file the indictment with the Commissary and to invoke the aid of the Prince William burgesses. One of the latter⁵² took the paper to Governor Dinwiddie, who at once laid it before the Council, and, although the jurisdiction was doubtful, Mr. Brunskill was summoned and put on trial before the Council. That court found that 'every fact he was charged with had been fully proved,' and that the parson was 'a scandal to his profession and ought to be disqualified.' The Governor accordingly instructed the vestry to exclude him from their churches. Brunskill was, however, recalcitrant. He stood on his title under the canon law, and, so far as the record goes, seems to have maintained his position.⁵³ In such a situation it can be understood why not only the 'enthusiasm' of the 'Newlights,' but the open dissent of the Baptists contemporaneously secured a strong foothold in the upper end of Hamilton.⁵⁴

The last record of Brunskill is in 1758: if he did not then die, it is probable that the heavy hand of the Bishop of London fell on him and that he disappeared; for the next recorded parson of Hamilton was James Craig, who received the King's bounty for Virginia, October 11, 1758. During the ensuing decade under Parson Craig, the parish fell in with the church building movement, then current in northern Virginia, and built at Elk Run, on the site of the pre-existing wooden structure, a handsome cruciform brick church. This had been recently completed in 1769, but its life was brief. Bishop Meade says:⁵⁵

'Elk Run church was about fifteen miles, I think, below Fauquier Court House, on the road to Fredericksburg, upon a

small stream from which it took its name. It was a substantial brick church, cruciform, I believe. I am not certain that the roof was on it when I first saw it, in 1811. Its walls continued for many years after this and I saw them gradually disappear during my annual visits to the Convention.'

At some time previous to the reconstruction of Elk Run church Hamilton provided also a wooden chapel of ease on Turkey Run, conveniently located with reference to the upper end of the parish on the Dumfries-Rappahannock road near its junction with the Marsh road.⁵⁶ This was the 'Turkey Run Church' which Bishop Meade said⁵⁷

'was situated . . . about a mile below Fauquier Court House. It was an old frame church, which, after the erection of one at the court house, was carried away and converted into a barn, and is still used as such.'

Leeds

In May, 1769, the 'Minister⁵⁸ and sundry inhabitants of the Parish of Hamilton' petitioned the Assembly⁵⁹ 'that by reason of the large extent of the Parish it is not in the Minister's Power to perform his Duty as a Preacher to the whole Parish in so regular a Manner as is necessary, and many of the Inhabitants reside so far from their Parish Churches that they can but seldom attend Public Worship: from which causes Dissenters have opportunity and Encouragement to propagate their pernicious Doctrines: and that there [are] now in the said Parish 2804 Tithables which Number is expected to increase.' This petition defined the desired boundary as

'a straight Line to begin at the North Fork of Broad Run at an Angle made by the Line that divides the said Parish of Hamilton from the Parish of Dettingen, and to end at two red Oaks on the Bank of the North Fork of Rappahannock River in the Plantation of Jesse Williams,'⁶⁰

adding that this line 'would divide the said Parish into nearly equal Parts, leaving a small majority of Tithables in the lower part.' The petition was promptly granted and an act passed in December, 1769, established the boundary described in the petition and created a new parish of Leeds above that line.⁶²

This act provided that the Hamilton glebe should be sold and the proceeds divided between Hamilton and Leeds in proportion to the number of tithables, after deducting for Leeds a proportion representing its original contribution. At the ensuing session it was represented that this was unjust and an act was passed in January, 1770,⁶³ providing that the total share of Leeds was its proportion on the basis of tithables at the time of division. But this did not end the matter. In July, 1771, the vestry of Hamilton petitioned the Assembly that before the division there had been an agreement that the docked Hamilton should have a majority of 100 tithables, and it was found that the agreed dividing line gave Leeds a majority of 60; wherefore, they asked that the boundary line be relocated,

'beginning at the Place mentioned in the said act of Assembly, and running from thence in a direct course to the mouth of Carter's Run, which will include such a number of Tithables as the Petitioners think themselves entitled to by the said Agreement.'

To this Leeds retorted, in March, 1772, with a petition denying that there was any such agreement, and

'setting forth that there is now a greater number of Tithables in the said Parish of Hamilton than in the said Parish of Leeds; and that before they were divided two large Churches, one Brick and the other of Wood, were built, both of which are in the present Parish of Hamilton, and that the Petitioners have been obliged to build four Churches in their own Parish at a very considerable Expense.'

Wherefore Leeds demanded that Hamilton refund to it 'a rea-

sonable proportion of the Tobacco paid for building the said Brick Church.' In all this Leeds was fully sustained.⁶⁸

The Leeds petition of 1772 is an important testimony because, among other things, it fixes the date of the construction of the four wooden churches with which that parish was equipped. Bishop Meade describes⁶⁹ these churches indefinitely enough, as 'Taylor's Church, not very far from Warrenton, Goose Creek Church, near Salem, Old Bull Run Church, whose location I cannot specify, and Piper's Church, in Leeds Manor, not one of which are (*sic*) now standing.'

In 1779, during the full flow of revolutionary sentiment, Mr. Jefferson brought forward his rhetorical, but logically inescapable, bill 'for religious freedom.' At the moment this was merely a gesture so far as concerned Virginia, but in the acerbities of post war politics the dissenters made of it a rallying cry for the disestablishment of the Church. In 1786⁷⁰ the Jefferson bill became law and was soon given full practical effect. Although the Church was not finally disestablished until 1799,⁷¹ the same Assembly which enacted religious freedom as a principle deprived the vestries of all their functions as civil magistrates. The duties of 'overseers of the poor,' and of processioning lands were then divorced from the Church; and the county courts were instructed to 'cause their said county to be laid off into convenient districts,' in each of which the freeholders were to elect three such 'overseers.'⁷² This act was the obituary of the parish. Under it the vestries lost their taxing power and the new 'overseers' definitely superseded them as practical political entities in the life of the Commonwealth. But more than that, the counties now seemed intent on ignoring even the memories of the past. In old Prince William the new 'districts' consistently, but undoubtedly with no little local inconvenience, wiped out not only the names but even the historical boundaries of the old parishes.⁷³

In the eighteenth century the Virginia parishes were work-

ing symbols of an ancient race inheritance. Like other such symbols, they withered in the fires of a revolution lit by democracy. In old Prince William their names have disappeared, their corner stones have been removed. No man today knows even his election precinct with reference to what was a parish line. It takes spade work to uncover their landmarks for the curious inspection of the archeologist.

On the other hand, of the seven brick churches built in old Prince William between 1752 and 1770, by a concatenation of fortuities, three survive. So it is that, under new conditions, Pohick, Falls, and Christs still are able to cherish the lamp which they received in their youth, and continue, somewhat fitfully perhaps, to radiate its influence. But Quantico is gone, Payne's, Broad Run, Elk Run all are gone. Honest brick and mortar though they were, fit to be the shines of many generations of men if only those who built them had suffused their craftsmanship with the soul of a people, their remains are become like those of the people who once congregated in them, 'entombed in the urns and sepultures of mortality.'

And yet, in another sense, these four lost churches also survive, for their sites are enduring bench marks of the highest reach of the tide of the old civilization of Virginia. A contour line drawn through those sites may be taken as a boundary which, without changing his habit, the tidewater planter could not pass on his march to the Blue Ridge. For beyond that boundary began the America of today.

NOTES TO CHAPTER TWENTY-ONE

¹ Hening, i, 399, 469, 478; ii, 18, 29, 44, 218; Bruce *Institutional History*, chap. vi. In 1701 (*Cal. Am. & W. I.*, 1697-98, p. 423; 1701, pp. 547, 552) in pursuance of his instructions, Governor Nicholson made an effort to reform the boundaries of all the counties and parishes in order to secure greater equality of tithables, but the Assembly refused to act without petitions from the localities involved. As a consequence of this position there is no legislative record of the earliest Northern Neck parishes. The names are, indeed, preserved in several documents (e. g., in the list first published by Beverley in the 1705 edition of his *History*) but the boundaries must be dug out of the several county

records, if, indeed, that is possible (Cf. Hening, ii, 218). Bishop Meade did not have access to those testimonies, whatever they may be, with the result that his statements in respect to these parishes lack authority.

³ *The suffrage qualification*: The act of 1736 (Hening, iv, 475) defined the qualification of suffrage as a freehold in 100 acres of uninhabited land or 25 acres improved with a house and plantation. The pre-existing law (Hening, iii, 172, 236) gave every freeholder the right to vote. Gooch's comment on the act of 1736 is significant of the reason for the change at this time. He held it to stipulate 'indeed too inconsiderable a Qualification' but that this was better than nothing for 'all attempts made heretofore to Exclude the *Mobb of the Populace* . . . had proved vain.'

⁴ Hening, iii, 284.

⁵ For the historical absorption of the primitive 'vill' by the parish in Tudor times, after the dissolution of the monasteries had destroyed the medieval system of poor relief, see Pollock and Maitland, *History of English Law*, 2d ed., i, 560.

⁶ *The poor law*: Most of these duties had devolved upon the church wardens under the Tudor poor laws (5 and 6 Edw. VI, c. 2; 14 Eliz., c. 5; 39 Eliz., c. 3) which were based on the organization of what was theoretically voluntary charity. As the collection of the benevolences so required was entrusted to the church, it followed naturally that the disbursement of the fund should be entrusted to 'the church wardens of every parish and four substantial householders who . . . shall be called Overseers of the Poor of the same parish.' In Virginia practice the 'substantial householders' were drawn from the vestry; so that the administration of the poor law, and with it the assessment of the parish levies, soon fell into the hands of what tended to become a close corporation. It was, therefore, to secure a revival of the Elizabethan intention that Bacon's act (Hening, ii, 356, 396) stipulated that six elected freeholders should sit with the vestry in laying the parish levy.

For the civil functions of the church wardens see Hening, ii, 51; for the colonial poor law, *ibid.*, iv, 208; vi, 29; for the processioning law, *ibid.*, ii, 101; iii, 327, 530; v, 426. All of the powers are arrayed in the article, 'Church Wardens,' in Starke, *The Virginia Justice*, 1774, p. 84.

⁷ *The dissolution of the vestries*: e. g., Truro in 1744, when it was made to appear that 'several pretending to act as vestrymen are not able to read or write' (Hening, v, 274. But see Parson Charles Green's indignant comment in *Truro Vestry Book*, ed. Goodwin, p. 21). The problem is best illustrated by the experience in the case of Frederick. Here the parish and county were created by the same act of 1738 (Hening, v, 78), but with provision that they should be organized only when the Council should so direct. As it turned out, neither organization could be justified for five years, and the vestry then chosen had to be dissolved in disgrace (See the recitals in Hening, vi, 258, and Cartmel, p. 180).

In 1757 the vestries of both Dettingen and Hamilton were also dissolved (Hening, vii, 144, 245) but the reasons given in the acts were not so frank. In the case of Hamilton it is apparent from the evidence that that parish was then under suspicion by the Assembly as a hot bed of dissent and that this fact influenced the decision of the Council in that year to refuse its assent to the promotion of Hamilton into a county.

⁷ *The name Overwharton*: In 1664 on one occasion the Stafford court recites the 'upper' parish as 'Potowmack parish.' The name, 'Overwharton,' was, however, in use in 1702 (*Va. Mag.*, i, 377). Its origin appears in the Stafford court minutes of 1692, when it was recited that Parson Waugh was living on lands on Potomac Creek, 'commonly called or known by the name of Overwharton Plantation,' which were claimed by the widow of that 'Henry Meese of London, merchant,' who had once lived in Stafford.

⁸ *Chotank parish*: The 'lower' parish, in which William Fitzhugh lived and which he offered in 1683 to purchase from Lord Culpeper (*Va. Mag.*, i, 125) was at the end of the seventeenth century called 'Chotank' from the creek which drained it (See the list of parishes in 1680 in *Cal. Am. & W. I.*, 1677-80, p. 557, and *Va. Mag.*, i, 243; and the description in the land grants of 1691 and 1692, *N. N.*, 1: 101, 188); but in 1702 (*Va. Mag.*, i, 377) and 1703 (*Journals H. B.*, 1702-12, p. 13) it had assumed the name 'St. Pauls' by which it was thenceforth officially designated.

Long after this change of style had become effective, the neighbourhood was, however, known locally as 'Chotank,' though that name was contemporaneously applied particularly to the Withers plantation which eventually was vested in the second Augustine Washington (Hening, vi, 513).

⁹ *The earl of Orkney*: *Journals H. B.*, 1727-40, pp. 73, 75, 76, 77, 81, 110; Hening, iv, 304. The name was a belated compliment to Lord George Hamilton (1666-1737), Governor of Virginia from 1710 until his death, under whom Spotswood, Drysdale and Gooch served as lieutenants. A cadet of two notable Scots families, he was a sterling soldier, beginning his career under William III at the battle of the Boyne and serving, with distinction, as a general officer under Marlborough, at all the great battles in Flanders, from Blenheim to Malplaquet. William III made him earl of Orkney in 1696, when he married that King's *maitresse en titre*, his own cousin, Elizabeth Villiers. Orkney was never in Virginia, but, unlike his successors, the other absentee Governors, Lords Albemarle, Loudoun and Amherst, his name has not survived on the Virginia map.

Among the 'might have beens' which could have changed the course of Virginia history, it is interesting to recall, as a match to Dean Swift's ambition to be Bishop of Virginia (*Correspondence of Jonathan Swift*, ed. Ball, i, 132), that Lord Orkney's nephew, Sir William Hamilton (1730-1803), the husband of Nelson's celebrated Emma, pulled strings to be appointed Governor of Virginia in 1772 in succession to Lord Botetourt, when Dunmore got the post. (See Mr. Brock's note in *Spotswood Letters*, i, 159.)

¹⁰ *The Rappahannock Parishes*: The pedigree of the Northern Neck parishes on the Rappahannock is intricate. It seems (for the evidence for the earliest dates is not conclusive) that when Rappahannock County was set off from Lancaster in 1656, several small parishes remaining in Lancaster were combined under the name of one of them as Christ Church, and the territory of Rappahannock was erected into the parish of Farnham. About 1660 (See Dr. Bruce's quotations of county records in *Institutional History*, i, 104, 219) Sittingbourne was created above Farnham; and before 1686 (*ibid.*, i, 84, 109) St. Mary's was created above Sittingbourne. Both these new parishes, like Christ Church and the counties, for some years

included both banks of the river (*cf. N. N.*, 2: 320, reciting lands on the north shore to be 'in Saint Mary's parish' in 1700), so that when growth made new divisions necessary, the river became the natural boundary. In this way, before 1684 (*Institutional History*, i, 68, 90), Farnham became North and South Farnham; in 1704 (*cf. the proceedings of 1694, ibid.*, i, 59), the south side territory of Sittingbourne became St. Anne's (in Essex); and in 1713 (*Journals H. B.*, 1712-1726, pp. 49, 59; Hening, iv, 49; Trott, *Plantation Laws relating to the Church*, 1721, p. 129) the north side territory of St. Mary's became Hanover. So it was that when Hamilton was organized the procession of the Northern Neck parishes on the Rappahannock, reading north, was Christ Church, in Lancaster; North Farnham and Sittingbourne, in Richmond; and Hanover, in King George. Until 1732 Hanover thus reached to the Blue Ridge, including all the territory now of Fauquier, which drained into the Rappahannock. The act of 1732 (Hening, iv, 366), referred to in the text, recited 'the great length of the parishes of North Farnham, Sittenburn, Hanover and Hamilton in the counties of Richmond, King George and Prince William,' and proceeded to distribute their jurisdiction for convenience of administration. Truro was erected above Occoquan, out of Hamilton, and, in compensation all that part of Hanover which lay in Prince William was added to Hamilton (*cf. Journals H. B.*, 1727-40, p. 200). The remainder of Hanover was then divided into two parishes, Brunswick, above the Dogue Swamp, and Hanover, below. At the same time, North Farnham was likewise divided at Totuskey, into Lunenburg above and North Farnham below.

¹¹ *e. g.*, a brick church on Aquia was first built in 1751 (*W. & M. Quar.*, xii, 82); four years later it burnt and the still surviving structure was substituted (Hening, vii, 151).

¹² Attached to *N. N.*, 5: 27, which refers to the site as 'land of Coll. George Mason, called the Chappell land.'

¹³ Hening, iv, 304.

¹⁴ *Truro*: Hening, iv, 367. Mr. Hugh Blair Grigsby says (Meade, *Old Churches*, ii, 425) that Truro got its name from the 'borough of Cornwall, England . . . the shipping port of the tin and copper ore found in its vicinity. Probably there were mines in the vicinity of Truro parish in Virginia.' This was a shrewd guess. The parish was named by 'King' Carter just before he died, having reference to his Frying Pan copper mine which was included in it (See *post*, p. 422). He confidently expected the new parish to be a mining district.

It is a coincidence that there should be a town of Colchester in a parish of Truro in Virginia, and a town of Truro in a County of Colchester in Nova Scotia.

¹⁵ Meaning Ashby's Gap, as appears from Hening, v, 207. This was the origin of the future county boundary between Fairfax-Prince William and Loudoun-Fauquier (See *post*, p. 341).

¹⁶ We follow Dr. Goodwin in his identification of 'Occoquan Church' with the first 'Pohick Church.' The justification is that there is no entry in the Truro vestry book between 1732 and 1767 relating to the construction of a new parish church.

¹⁷ *Truro Vestry Book*, ed. Goodwin, p. 63.

¹⁸ *Gunnell's Church*: Dr. Goodwin conjectures in a note to his edition of the *Truro Vestry Book* that Gunnell's church was on Difficult. The land grants, however, show William Gunnell in 1729 (*N. N.*,

C: 8, 9) 'on the South side of Four Mile Run two or three miles below the head, adjoining Simon Pearson.' In 1724 (*ibid.*, A: 57) Simon Pearson had taken up a large area on the plateau on which Falls Church stands and in which head the Fairfax streams known as Holmes (including Tripps), Four Mile, Pimmets, and Scotts.

¹⁹ *Falls Church*: The site is indicated and the name assigned on a plat recorded in *N. N.*, E: 474, to illustrate George Harrison's grant of August 3, 1742. On January 16, 1729/30 (*N. N.*, C: 11) Michael Regan had a grant 'on the west side of the North Fork [i. e., Tripps] of Holmes Run, adjoining Simon Pearson' and on the same day (*N. N.*, C: 10) John Trammell had a grant adjoining Regan but above him 'near the head of the north run of Holmes.' It appears from the Truro vestry book that the deed for the site was made in 1746 by John Trammell long after the church had been built.

²⁰ *Truro Vestry Book*, ed. Goodwin, pp. 27, 34.

²¹ *The chapel above Goose Creek*: The site was on Francis Awbrey's grant of December 19, 1728 (*N. N.*, B: 167) as appears from the plat in *N. N.*, E: 110 illustrating Awbrey's supplementary grant of November 26, 1739. There 'Cool Spring Run' is shown flowing into the Potomac with the 'Chappel' depicted beside it. After the Revolution, Col. Burgess Ball (1749-1800) of the Continental army, acquired these lands, and, removing his residence from Spotsylvania (See Hening, x, 469), built beside the Big Spring the house, 'Springwood,' in which he ended his days. In 1799 he staked out near that house a family burying ground and there his family planned to bury him when a few months later he died. A statement of the circumstances of his burial, made by his grandson, Capt. G. W. Ball of the Confederate army, to Mr. H. E. Hayden (*Virginia Genealogies*, p. 113), confirms the other records of the site of the Truro 'chapel above Goose Creek.' 'A deep fall of snow having hidden the stakes,' said Capt. Ball, 'the servants charged with preparing the grave mistook the order and dug it about 150 yards lower down in the midst of a neglected burying ground of old colonial times, surrounding the ruins of a log meeting house which once stood at the head of the famous Big Spring.' Dr. Goodwin comments that 'this chapel was in use certainly in Dr. David Griffith's day [when he was parson of Cameron parish] just before the Revolution, and probably until the first church was built in Leesburg, about 1812.' For Francis Awbrey, see *ante*, p. 153.

²² *Rocky Run Church*: *Truro Vestry Book*, ed. Goodwin, p. 22. Dr. Goodwin argues that 'Hutchinson's' and 'Rocky Run' were two different churches and that both were built by the Truro vestry. The former he locates 'at Dranesville.' Hutchinson had no land in that vicinity, but was seated (*N. N.*, A: 224) at the site first selected and then discarded. The 'Mountain road' referred to in the Hutchinson deed was not the road leading to the Blue Ridge at Key's (later Vestal's) gap, on which Dranesville stands, but the road leading to Williams' gap, which crossed both Rocky and Salisbury Plain runs, i. e., the original of the 'Braddock road' of the Fairfax tradition. It seems probable, then, that the church on the site of the modern village of Dranesville was built by the Cameron vestry.

Mr. Choate marks the Rocky Run church on his map in the vicinity of Newgate and gives it the date 1749, but the Truro Vestry book

shows that it was under construction in October, 1746. Willoughby Newton had his large grants of 1743 and 1749 (*N. N.*, F: 114, G: 319) 'on both sides of Great Rocky Cedar Run and on the upper side of Little Rocky Run.'

²³ *W. & M. Quar.*, xii, 74.

²⁴ *Truro Vestry Book*, ed. Goodwin, p. 30.

²⁵ *Paynes Church*: Neither Littlejohn nor Payne appear in the land grants. The explanation seems to be that they seated lands included in the great 'Jeffreys' tract' which had been patented in 1677 by Cadwallader Jones back of Ravensworth. The site of Payne's church was on the still existing Ox road between the present day Fairfax Court House and Fairfax station. See *Truro Vestry Book*, ed. Goodwin, p. 50, where the history of Payne's church is told at length.

²⁶ *Cameron parish*: Hening, vi, 214, where only the title of the act appears. The line is, however, recited in the resolution authorizing the bill (*Journals H. B.*, 1742-49, pp. 298, 405), and again in an act of 1752, Hening, vi, 271. See also, vii, 301, 612.

The parish was named in honour of the Northern Neck proprietor, Thomas, Lord Fairfax, who was baron of Cameron, and in 1748 had recently established his definite residence in Virginia.

The first parson of Cameron was John Andrews who received the King's bounty for Virginia April 17, 1749 (Fothergill) and still appears in the clergy lists of 1754 and 1755 (Perry). There is an amusing picture of him at the time of Braddock's expedition in *Mrs. Browne's Diary* (MS. Library of Congress).

²⁷ Hening, vii, 612. This apparently precipitated Cameron's long delayed demand in 1766 for a share in the Truro church plate and glebe (*Journals H. B.*, 1766-69, pp. 35, 38; Hening, viii, 202).

²⁸ *Old Churches*, ii, 273. Mr. Choate shows this church on his map and dates it 1746, but that seems a confusion with Rocky Run. More probably it was built in 1749, immediately after the organization of Cameron.

²⁹ The Frying Pan church is marked on the Choate map with the date 1790. The modern village of Floris, originally known as Frying Pan, identifies the site. See *post*, p. 432.

³⁰ *Fairfax parish*: Hening, viii, 43. The name, like that of Cameron, was a compliment to the proprietor of the Northern Neck.

³¹ *Journals H. B.*, 1761-65, p. 341.

³² *Ibid.*, 1761-65, pp. 308, 346, 363; Hening, viii, 157. There is a plot of this line of record in Fairfax, June 15, 1765. The net result of the final decision was to leave the entire Mt. Vernon estate in Truro. See Dr. E. L. Goodwin's lively discussion of the politics of the controversy, and the subsequent election of new vestries, in his edition of the *Truro Vestry Book*, p. 36.

³³ See Bishop Meade, ii, 256, and Charles A. Stewart, *Falls Church* (1913). Both of these authors used the Fairfax vestry book. Much history of that parish is preserved also in the cases arising out of the efforts to force a sale of the glebe after the Revolution, viz.: *Terrett v. Taylor* (1815), 9 Cranch, 43; *Mason v. Muncaster* (1824), 9 Wheaton, 445.

³⁴ He was probably Archibald Avon (or Avens) who received the King's bounty for Virginia February 10, 1767 (Fothergill), and, according to Bishop Meade, was preferred to Cameron parish in that year.

³⁵ *Journals H. B.*, 1766-69, p. 203, 211.

³⁶ *Shelburne parish: Ibid.*, 1770-72, p. 108; Hening, viii, 425. The name was a compliment to William Petty (1737-1805) Lord Shelburne, afterwards first Marquis of Landsdowne, whose liberal politics in relation to the American colonies during the anxious years, 1763-1768, won him the confidence of Virginia.

³⁷ *Selden v. Overseers* (1840), 11 Leigh, 127.

³⁸ *Old Churches*, ii, 207. Bishop Meade's record of the location of this church is confirmed by a petition from Prince William which was before the Assembly in September, 1744 (*Journals H. B.*, 1742-49, p. 91), which refers to a site described as 'below Quantico warehouses and Quantico church.'

³⁹ *Journals H. B.*, 1742-49, pp. 89, 148, 325; Hening, v, 259. Unfortunately, the petitions do not survive, for the record in the Assembly shows there was some feeling.

⁴⁰ *Dettingen Parish*: The name was a by-product of a popular enthusiasm which soon passed into oblivion. 'A battle on land gained by English troops had not been known since the days of Marlborough,' says Wright in his *Caricature History of the Georges* (Second edition, 1868, p. 148), 'and the whole country resounded with exultation. Dettingen was in a moment the theme of every ambitious or popular scribbler, and pamphlets in prose and verse, ballads and songs and epigrams were showered upon the Duke.' The battle was fought June 27, 1743, and the act creating Dettingen parish was passed in September of the year following. This was the last honour shown the Duke of Cumberland in Prince William. The Scots population would not have suffered another, after Culloden.

⁴¹ *The Hamilton-Dettingen line*: The Carter Broad Run tract of 12,285 acres, to which reference is made in the statute, lay at the foot of the Bull Run mountains on both sides of Broad Run, and is described in the land grant of 1724 (*N. N.*, A: 70) as 'beginning in the fork of Broad Run, running thence up the North Branch.' Jacob Smith had his land grant in 1725 (*N. N.*, A: 109) 'on the north side of Bull Run,' beginning at the Carter marked poplar which stood opposite the mouth of 'Muddy Lick' (Cf. Hening, vii, 478). John Young, who later gave his name to 'Young's Branch,' had his land grant in 1728 (*N. N.*, B: 13) on the upper waters of 'a branch of Bull Run called the Licking Branch.' The identification is established by the map which accompanied the 1782 petition of Cameron parish to be erected into a county (see *post*, pp. 329, 345) on which the Bull Run terminus of the Dettingen-Leeds boundary is designated 'Young's Branch.'

The Hamilton-Dettingen parish line was surveyed in June, 1745, by James Genn (the surveyor who in 1748 was the head of Lord Fairfax's corps in the Shenandoah Valley with which George Washington had his first engineering experience in the field) under the direction of George Byrn (see *ante.*, p. 263), and their report and plat remain among the Prince William records.

The location of this boundary by the modern student is curiously complicated by an erroneous survey of it made in 1829 by Thomas Nelson, jr., of which a plat is included as an inset in Mr. W. H. Brown's Prince William map of 1901. Here the line is so laid down as to place

the angle at the mouth of Cameron's Branch of Broad Run and the Bull Run terminus near the mouth of the Buck Hall branch. This is directly contradicted by the Genn survey, made when Dettingen was created.

⁴⁰ On April 17, 1752, the vestry of Dettingen advertised in the *Virginia Gazette* (*W. & M. Quar.*, xii, 214), for bids for the construction of 'two Brick or Stone churches each to contain in the clear 1,800 Feet.' Five years later (1757) they were prosecuting suits against the contractors for 'their public buildings' (Hening, vii, 144).

⁴¹ This was the second of the name. See *post*, p. 345.

⁴² Hayden, p. 593.

⁴³ This is Bishop Meade's distressing testimony. See *post*, p. 696.

⁴⁴ In a grant of 1746 (*N. N.*, F: 264), there is a reference to 'the Chapel Road' near Elk Run. The 'Elk Run Church' was laid down by Dalrymple in 1755 on the Fry & Jefferson map.

⁴⁵ e. g. The Footes, Fitzhughs and other Chotankers of Brent Town, as well as their neighbours, the Blackwells, originally of Northumberland, for whom see Hayden, p. 266: *Va. Mag.*, xxii, 438.

⁴⁶ James Keith received the King's bounty to go to Virginia, March 4, 1728/29 (Fothergill). His first charge was of Curl's church in Henrico, where he ministered from 1730 until October, 1733, when he resigned to take the cure of Hamilton. See *History of Henrico Parish*, and the romantic story of his marriage in Beveridge, *John Marshall*.

⁴⁷ John Brunskill commanded in 1697 a ship in the Virginia trade (*W. & M. Quar.*, ix, 121), and in 1716 a parson of that name was established in Virginia. The latter made the report in 1724 for Wilmington parish in James City (for which see Hening, iv, 141) and, in 1756 'in the fortieth year of my ministry,' being then the incumbent of St. Margaret's in Caroline, he signs a protest to the Bishop of London against the famous 'option act' of 1755 which brought on the 'Parson's Cause.' See Perry, *Church Papers, Virginia*, pp. 199, 210, 277, 446.

⁴⁸ In his letter to the Bishop of London, July 23, 1753, Commissary Dawson reports, 'Mr. Brunskill officiates in Hamilton Parish, Prince William—Mr. Agnew's title,' but in 1754 and 1755 'John Brunskill, jr.,' is regularly listed as parson of Hamilton. In the latter year he served also the parishes of Raleigh and Nottoway, in Amelia. See Perry, pp., 406, 411, 414.

⁴⁹ *The Hamilton Glebes*: The original Hamilton glebe was in the vicinity of Elk Run Church and after the erection of Dettingen in 1744 was sold so that the proceeds might be divided (*Journals H. B.*, 1742-49, p. 325.) A portion of the Germantown tract on Licking Run was then purchased for a new Hamilton glebe. The convenience of this site lay in its being about half way between Elk Run Church and Turkey Run Church. The conveyances were made in three parcels in June, July and October, 1746 by Tilman Weaver, Jacob Holtzclaw, John Rictor (sic.), Elizabeth Marr and Herman Fishback, to John Wright and Joseph Blackwell, church wardens (*Prince William D. B.*, I: 127, 158, 230). On his edition of the Fry & Jefferson map (1755), Dalrymple laid down this glebe as 'Brunskill's parsonage' to mark a station on the route there indicated as the Falmouth-Winchester road. Thence Thomas Jefferson transferred it as 'Glebe' to his map (1787). But meanwhile that glebe had been sold in 1770 in order to divide the capital invested in it with the new Leeds parish (*Fauquier D. B.*, 4:106) and a new one purchased for Hamilton. This last glebe, which was on the Marsh Road between

the modern villages of Liberty and Bealeton, was in turn sold in 1806 by the Overseers of the Poor after the disestablishment of the church (*Fauquier D. B.*, 16:634).

⁵³ The Prince William burgesses in 1757 were John Bell and Henry Peyton.

⁵⁴ Bishop Meade (ii, 217), refers to Brunskill's reputation and trial, calling him 'Joseph.' The full record of the proceeding may be found in *Perry Church Papers, Virginia*, p. 449, ff.

⁵⁵ Thus John Wright was a church warden of Hamilton in 1746, but his son became a Baptist. See *Tyler's Quar.*, iv. 260.

⁵⁶ *Old Churches*, ii, 217.

⁵⁷ *Turkey Run Church* stood on the Dumfries-Rappahannock road between the 'Alwington' and 'Fry Town' which are indicated on the Fauquier map of 1914. (See Fauquier Historical Society, *Bulletin No. 1*, 1920, p. 75). Being off Dalrymple's route to Winchester, it was not marked on the Fry & Jefferson map. As the tradition of the Fauquier Keiths is that Parson James Keith was buried under the altar of Turkey Run Church in 1751, it is probable that that church was in existence in 1755, if not in 1746, when the Hamilton glebe was purchased. It is specifically referred to in the Leeds parish petition of 1772.

⁵⁸ *Old Churches*, ii, 217.

⁵⁹ He was James Craig who is listed as parson of Hamilton in *Purdie & Dixon's Virginia Almanac* as late as 1774.

⁶⁰ *Journals H. B.*, 1766-69, p. 195.

⁶¹ *The Hamilton-Leeds line*: No contemporary survey of this line has come to light. In 1741 George Williams had a land grant on the north side of Rappahannock River (*N. N.*, E:443). On this clew Messrs. H. C. Groome, Alfred B. Horner and H. I. Hutton, of Warrenton, have traced the title through the Fauquier records to Jesse Williams, a son of the grantee, and from him to the present owner of the land, thus establishing the location of Jesse Williams' plantation, in which the Leeds line terminated; and, after a careful study of the ground, judge that the 'two red oaks' on the bank of the Rappahannock must have stood approximately opposite the mouth of the Culpeper stream marked on the Fry & Jefferson map, 1755, as Negro Run, and still so known locally.

⁶² *Leeds parish: Journals H. B.*, 1766-69, p. 354; Hening, viii, 403. The name was taken from Leeds manor, a large part of which was in the new parish. It may be noted that the boundary line ran through the southern limits of the Fauquier Court House settlement afterwards known as Warrenton, but left Turkey Run Church in Hamilton. In view of the subsequent controversy this is significant, as most of the vestrymen of Leeds who objected to being included in Hamilton were residents of the Fauquier Court House village.

⁶³ Hening, viii, 428.

⁶⁴ *Journals H. B.*, 1770-72, pp. 125, 255, 269; Hening, viii, 625.

⁶⁵ *Old Churches*, ii, 219. Bishop Meade adds that the parson of Leeds was a Scot, James Thompson (1739-1812), who came to Virginia in 1768 and served as a tutor in the family of Col. Thomas Marshall, went to England for orders in 1769 and returned to minister in Leeds parish for the remainder of his life. He married a daughter of Nimrod Farrow of Leeds Manor (whose name remains on the map at Farrowville) and lived on the glebe 'near Salem,' i. e., in Whitewood, north of The Plains.

⁶⁵ Hening, xii, 84.

⁶⁶ All the legislation is conveniently arrayed in B. W. Leigh's *Code of 1819*, i, 77.

⁶⁷ Hening, xii, 27. For subsequent amendments see *Code*, 1819, ii, 264. Under the constitution of 1851 these districts became the territorial units from which justices of the peace were elected. After a brief masquerade as 'townships' during reconstruction, they ultimately became, under the constitution of 1874, the present day 'magisterial districts.' For the origin of the office of 'overseer of the poor' see *ante.*, note 5.

⁶⁸ *The Magisterial districts*: Until 1857 the new districts were designated only by numbers, but then was adopted the practice of giving them names. These were generally taken from the principal villages, or from some geographical feature, with a sprinkling of compliment to local dignitaries. The list of names is now printed in each volume of the session laws, e. g., *Acts 1924*, p. 785:

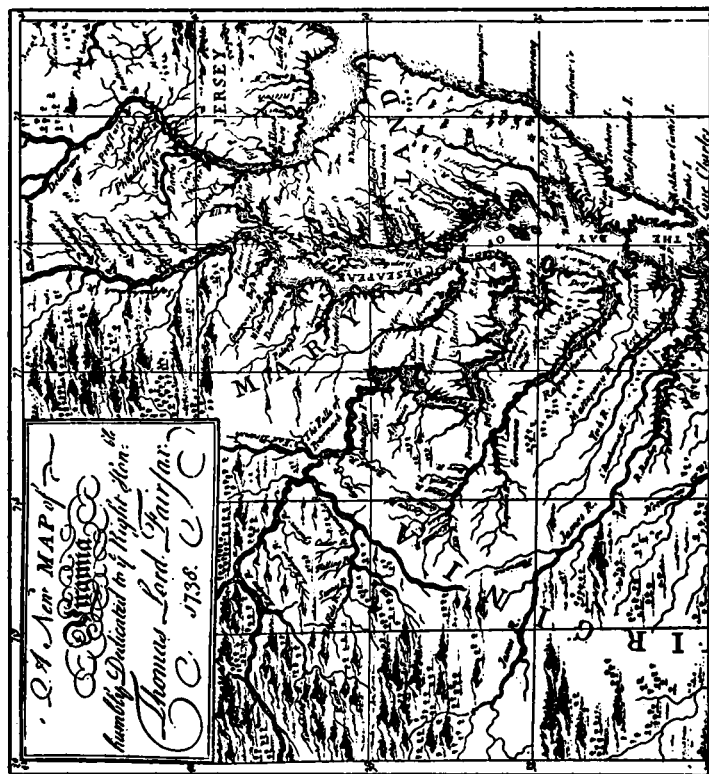
Prince William: Dumfries, Occoquan, Coles, Brentsville, Manassas, Gainesville.

Fairfax: Falls Church, Providence, Dranesville, Mount Vernon, Lee, Centreville.

Loudoun: Broad Run, Jefferson, Mount Gilead, Mercer, Lovettsville, Leesburg.

Fauquier: Centre, Scott, Marshall, Lee (formerly Rappahannock), Cedar Run.

Arlington: Washington, Arlington, Jefferson.



SIR WILLIAM KEITH (1730?) 1738.

CHAPTER TWENTY-TWO

The Counties and Their Court Houses

WE have seen how the entire Northern Neck was laid out as a county in 1648 and that the earliest population soon separated into two communities, on the Potomac and the Rappahannock. This natural consequence of the geography of the territory and the amphibious habits of the seventeenth century Virginians was necessarily followed by political separation also. In 1651 that part of Northumberland fronting on the Rappahannock was set off in a new county—Lancaster.¹ Thereafter, as the settlements extended northward, other counties were in turn cut off from Northumberland and Lancaster, fronting always on the Potomac and Rappahannock, respectively. In this way were erected successively the Potomac counties of Westmoreland (1653)² and Stafford (1664)³ and the Rappahannock counties of Rappahannock (1656 and after 1692, Richmond)⁴ and King George (1721).⁵ The interior boundary between them was never specified in the acts creating these counties. The Assembly assumed, what doubtless seemed to it to be an obvious fact, that there was a drainage ridge of poor land (or 'forest' as it was called) between the two great rivers, which constituted a natural frontier, so that all lands on the streams flowing into those rivers appertained to the several counties fronting on them respectively.⁶

Prince William

When the seating of the piedmont began, after 1722, the spread of population in Stafford soon occasioned a demand for the carving, from its vast area, of a new frontier county. In 1726 this was nearly accomplished. A bill was then ordered to divide Stafford at Aquia creek and create above that boundary

a county, to be named *Hartford*, but after debate the proposal was rejected.⁷ The demand persisted. In May, 1730, it had become so insistent that the Assembly felt obliged to yield; but secured the assent of the Council only by an agreement contemporaneously to erect the territory into a new parish, with a provision that this lesser jurisdiction should be given several months of experimental operation before the county government was launched. On this basis two bills, one for a parish and the other for a county, proceeded together through the Assembly and became law on the same day, July 9, 1730.⁸ But by its terms the act creating Hamilton parish was to take effect on January 1, 1730/1, while the county act was postponed three months further, or until the ensuing new year's day; which was March 25, 1731, according to the calendar then in use.

This act provided that,

'all the lands on the head of the said Counties, above Chopawansick Creek on Potomac River, and Deep Run on Rappahannock River, and a southwest line to be made from the head of the north branch of the said creek, to the head of the said Deep run . . . be made a distinct county, and shall be called and known by the name of Prince William County."

This description is specifically interesting as recording the Assembly's appreciation of two facts (*a*) that once the falls were passed, the geology of the country changed so that the further projection of the old Northern Neck interior boundary line ceased to be naturally appropriate⁹ and (*b*) that the bounds of the Northern Neck proprietary were still uncertain.

On this last point it will be observed that no northern or western limits were set for the new county. It was clearly the intention of the Assembly that those boundaries should ultimately be the Blue Ridge and the north fork of the Rappahannock; for those landmarks were then believed in Virginia to be the extreme boundaries of the proprietary; but the Assembly did not feel confident enough in its own opinion to say so. On the other hand, Col. Carter, the agent for the

proprietary, maintained that the Culpeper charter of 1688 included all lands drained by the waters of the Potomac and the Rappahannock. When Governor Gooch learned how far south the Shenandoah headed, he vigorously denounced this claim as a preposterous inversion of relative rights.¹² Pending a determination of the issue thus joined, both parties stood their ground. In September, 1730, Col. Carter boldly described as in Stafford the grants on the Shenandoah which he took out for himself and his son-in-law, Mann Page;¹³ while contemporaneously the Virginia government proceeded to limit the jurisdiction of Prince William by indirection. Spotsylvania had been defined as marching on the north fork of the Rappahannock, and thence across the Blue Ridge to the Shenandoah River. When, in 1734, Orange¹⁴ was cut off from Spotsylvania, these limits were vaguely extended: the boundaries of Orange were declared to be 'northerly by the grant of the Lord Fairfax and Westerly by the utmost limits of Virginia.' This left a discreet record; but, practically, Orange at once assumed jurisdiction not only of all the disputed territory in the Great and Little Forks of the Rappahannock, but also of all the lower Valley beyond the Blue Ridge.¹⁵ In 1738 this usurpation was avowed and retracted by the Assembly in erecting Frederick.¹⁶ That new county was declared to include the territory, '*at present deemed to be part of the county of Orange, lying on the northwest side of the top of the said mountains,*' north of a line 'from the head spring of Hedgman's river to the head spring of the river Potowmack.' This new boundary showed what the Assembly now believed, as the result of Northern Neck survey of 1736, would be the adjudicated bounds of that proprietary: it was contemplated that Frederick should be within the Fairfax domain. Finally, after Lord Fairfax had prevailed and had established his boundary on the *south* fork of the Rappahannock (i. e., the Rapidan and the Conway), and thence to the head spring of the north fork of the Potomac (the Fairfax Stone), Orange was, in 1748, withdrawn south of this line. Culpeper was then created¹⁷ to include the Great and

Little Forks of the Rappahannock, i. e., the territory between the Rapidan and the Hedgman, thus to march on Hedgman's River with Prince William, as it does with Fauquier today. By these devious, but historically interesting, processes¹⁷ were the boundaries of Prince William ultimately established.

And so in the fourth generation of descent from Northumberland, but as the first of those descendants once more to extend its jurisdiction without interruption from the Potomac to the Rappahannock, the old Prince William of our study came into existence.

A few days in advance of the taking effect of the Prince William act, Governor Gooch proceeded to organize the new county.¹⁸ Thomas Harrison of Chipawansic¹⁹ was designated County Lieutenant, and Catesby Cocke,²⁰ son of a former Secretary of the colony and himself trained in the Secretary's office at Williamsburg, was appointed Clerk. A month later a commission of the peace was issued and other dispositions made, as appears from the following entries in the Council Journal:²¹

1731, *April 27*. 'The Governor, with the advice of the Council, is pleas'd to nominate Justices of the peace for the new erected County of Prince William, viz: Thomas Harrison, Dennis McCarty, Will^m Linton, Francis Awbry, Robert Jones, Burr Harrison & Moses Quarles of the Quorum; and Leonard Barker, Wm. Harrison, Valentine Barker, John Wright, John Allen, Will^m Hackney and Joseph Hudnal, Gent.;²² and also to appoint Robt. Jones, Gent. Sheriff of the said County of Prince William for the ensuing year.²³

'Ordered that the Surveyor²⁴ of Prince William County do, as soon as conveniently may be, run and mark the dividing line from Chappawamseek to Deep Run to ascertain the bounds between the said County and those of Stafford and King George, pursuant to the Act of Assembly.

'On application of the inhabitants of Prince William for considering the place where the court of the said county ought to be held, It is ordered that the court of the said county be held on the upper side of Occoquan River near the ferry

landing, and that the justices of the said county take care that a court house, prison, pillory and stocks according to law be erected at that place with all convenient speed.'

There is no subsequent action of the Council modifying the designation thus made of the site of the first court house of Prince William until 1742, but it does not appear that the order was carried out literally. In 1731 'the upper side of Occoquan River near the ferry' had been for a year the site of the parish church of Hamilton parish and was a natural place for the court house, but the evidence points to the fact that the public buildings actually built were at the Occoquan *lower* ferry landing. It was here that the second George Mason owned a plantation subsequently known as Woodbridge. On the organization of Prince William he leased it to John Mercer of Marlboroughtown, and when that lease fell in, George Mason's widow renewed the lease in 1737, specifically excepting the ferry and 'the Court House and prison.'²⁸ On John Warner's Northern Neck map of that same year 1737 the Court House is duly marked on the lower side of Occoquan.

Since this original court house was established, Prince William has four times removed her seat of justice.

The first move was after the county had been docked by the creation of Fairfax in 1742. It was natural that the back country (later Fauquier), which was then rapidly filling up, should take that opportunity to demand a court house more conveniently accessible to the new planters. It seems to have been agreed that this was fair and that the new site should be somewhere on Cedar Run, but there was difficulty in agreeing upon the exact location. Five sites were proposed, the Governor felt unable to decide between them, and, ultimately, it was necessary to go to arbitration. The following entries in the Council Journal²⁹ reveal the debate and the decision, viz:

1742, June 19. 'Ordered that the Court house of Prince William be at a place called Brent Town, belonging to Richard Foot.'

October 20. 'On reading the petition of several of the inhabitants of Prince William County in relation to the appointment of a proper place for their court house, and hearing Richard Blackburn and Thomas Harrison, jun^r, Gent., and inspecting the plan of the said county as it will remain after the division shall take place, It is the opinion of this Honble Board that [the Court house of the said county be placed either at Brent Town, Hoomes, Tacquets Ford, Watkins, or Waters, as the Governor shall appoint on viewing the plan^m] it shall be referred to Col. Henry Fitzhugh, Col. William Fairfax and Col. John Colvil to view the several places proposed for building the court house of the said county, and report to the Governor which they think most convenient for that purpose.

December 15. 'By an order of Council, held at the Capitol October 22, (*sic*) 1742, it was referred to Col. Henry Fitzhugh, Col. William Fairfax and Col. John Colvil to view the several places proposed for fixing the court house of Prince William County and to report to the Governor which they thought the most convenient for that purpose, In obedience to which order they met at the Iron Mines at Niapsco and, having heard all parties and evidences, are of opinion that Philemon Waters' plantation is the most convenient place to fix the court house for the said county, And have accordingly given the same under their hands, dated 23d, Novr., 1742, Which, being approved on by the Board, It is ordered that the court house for the county of Prince William be erected at the plantation of Philemon Waters accordingly.'

Led by local tradition, Mr. George C. Round of Prince William explored in 1911 the site so selected and identified it on the farm known as Ashmore, lying north and east of the modern village of Orlando.²⁰ This second court house stood in the forks of the Dumfries road and so was accessible not only from tidewater but from all parts of the inhabited back country.

When Prince William was docked a second time, in 1759, and Fauquier was erected, Dumfries was in the full swing of her largest prosperity, and at once made a bid for the court house. The argument was persuasive that the town was the commercial centre of the county, and the site of the parish church; and, moreover, since the area of the county had been reduced, had become more convenient of access to the majority of the inhabitants than the site on Cedar Run. The

change was made accordingly. The authority for it was the action of the Council on June 13, 1759,⁸⁰ viz:

'The Board this day having taken under consideration the most commodious Place for fixing the Court House for Prince William County, it was the opinion of the Council and accordingly, Ordered that the Court House for the said County be established in the Town of Dumfries, and that in the meantime the Courts be held in the old Place.'

The loss of the Prince William records of this time leaves no evidence of the date of the actual transfer. The earliest surviving record is an incidental reference, in the summer of 1761,⁸¹ to a court house then established at Dumfries. It seems probable, therefore, that that building was constructed immediately after the Council's order and that the court moved into it in the spring of 1760.

After the decay of Dumfries the centre of gravity of the county shifted again. The country on either side of Broad Run, above the confluence with Cedar, had now become the most populous part of the county, and included the land owners of the largest political influence.⁸² In 1822 this community succeeded in having the court house moved again and brought to its doors. A fourth site was accordingly found on the main stem of the Dumfries road leading to Thoroughfare gap. This was a part of the Bristow tract of 'Brent Town' then vested in the Commonwealth,⁸³ and here a new court house was authorized in 1820. Two years later, as the transfer was made, a town was established about this court house, under the name Brentsville.⁸⁴

Prince William court remained here thenceforth until 1893, when the inconvenience of the distance of Brentsville from a railroad accomplished the final removal to the fifth site at Manassas.⁸⁵

Meanwhile the diminished Prince William had for a season re-asserted her original dignity in the matter of dispensing

justice for the whole territory which had once been included within her boundaries. When, in 1788,³⁶ Virginia established a system of superior District Courts to be held throughout her territory by judges of the General Court, one of the districts was made up of the four northern counties, Fairfax, Fauquier, Loudoun and Prince William, and the seat of that District Court was established at Dumfries. Ten years later, in 1799, it was urged upon the Assembly that Dumfries was 'not only remote from the centre of the District but inconvenient to suitors;' whereupon commissioners were appointed to establish, at the expense of the four counties, a more convenient common forum.³⁷ These commissioners pitched upon Haymarket as the site³⁸ and there, on lands of William Skinker, built a court house, clerk's office and jail; which were thenceforth occupied until, in 1807, the District Court was converted³⁹ into a Circuit Court to be held periodically at every county seat, as is still the practice. The court house at Haymarket then fell into disuse and soon was sold;⁴⁰ when it was converted into the still standing church. While this building was a temple of Themis, Bishop Meade⁴¹ had an experience at Haymarket which resulted in a characteristic passage in his book: 'A race course once adjoined the court house and in preaching there in former days I have on a Sabbath seen, from the court house bench on which I stood, the horses in training for the sport which was at hand. Those times have, I trust, passed away for ever.'

Fairfax

The decade following the organization of Prince William was a period of vigorous young life in that community. The Scots merchants established themselves on the Quantico and Hunting Creek, the long depressed price of tobacco rose, and the seated area steadily widened towards the Blue Ridge. But there were growing pains in the process. The Irish ex-servants, who were multiplying as freeholders in the back country, had not yet been assimilated as Virginians and were a politically disturbing element. It was they who precipitated the armed insurrection

against the warehouse law in 1732,⁴² and it was they who animated the long seated Potomac river men with that sentiment of sectionalism which was now evident at every session of Prince William court. The politicians like Thomas Osborne, who courted the new citizens for their votes, found to their cost that the old planters, lead by Thomas Harrison of Chipawansic, were arrayed against them;⁴³ and retorted by exasperating the county court into indiscretions for which in turn the justices were necessarily punished.⁴⁴ From the point of view of the government at Williamsburg, Prince William was, for these considerations, not unjustly deemed a turbulent community. It was natural, then, that the effort, which persisted throughout this period, to divide the county, should find little sympathy in the Assembly. Undoubtedly Governor Gooch and the Council said, when those proposals came up, that they had enough frontier troubles without multiplying them, and would reject any bill which attempted the creation of a new county jurisdiction until there should be someone resident therein on whom they could rely. And so it was that propositions from Prince William for a division were disallowed by the Assembly in 1732, 1736, 1738 and 1740.⁴⁵ On the first occasion a new parish of Truro was created, but this is as far as the legislature would advance. On the last occasion the proposition was postponed to the next session, which it was expected would be held in December, 1740; but before that time Governor Gooch had departed on the Cartagena expedition and there was no further opportunity to act until May, 1742, after the Governor's return.

. During the interval, William Fairfax⁴⁶ moved his residence from King George to Belvoir on the Potomac, and immediately began to take an active hand in the affairs of Prince William. Appointed at once to be 'first' in the commission of the peace and so authorized to preside in Prince William Court, he next offered himself for election as a burgess in the new Assembly which Gooch called in February, 1741/2. At the election he headed the poll, his colleague then chosen being Thomas Har-

rison;⁴⁷ and the two went to Williamsburg with a mandate to bring about the long pending separation into two counties.

At the March court of 1742 two new propositions for the division of the county had been certified to the Assembly. These differed on the principle of sectionalism,⁴⁸ viz:

(a) 'for dividing the County by a Line to be drawn from the head of Chippowamsick to the Head of Difficult Run.'

(b) 'for dividing the County in the same manner as the Parishes in the said County are divided.'

The first was for the creation of a purely Potomac river county which would exclude most of the back inhabitants; the second for a natural development such as had been contemplated from the original organization of Prince William. It does not appear which proposition William Fairfax himself advocated, but it is clear that he was intent in any event on securing such a division as would assure his own immediate neighbours of a surcease from the problem of the 'back inhabitants.' On the organization of the House of Burgesses he was appointed a member of the Committee on Propositions and Grievances and sat with it in the consideration of the two propositions he had brought down with him. The first was rejected, but the second was held reasonable, thus at last assuring the ambition of the residents above Occoquan, but tying Thomas Harrison and the Quantico men to the back-country Irish. A bill to give effect to this decision was introduced on May 18th and, after some amendments by the Council, was approved by the Governor and became law on June 19, 1742.⁴⁹

By this act the new county of Fairfax was defined as co-terminous with the pre-existing Truro parish, that is to say, it included all that part of Prince William which was above

'Occoquan and Bull Run, and from the head of the main branch of Bull Run by a straight course to the Thoroughfare of the Blue Ridge of Mountains known by the name of Ashby's Gap or Bent.'

The difference in the description after ten years, significant of the spread of population, was a specification of the terminal 'Indian thoroughfare' by an English name.⁵⁰

The books containing the minutes of Fairfax court prior to 1754 are missing and there is thus no surviving record of the details of the organization of the county. As William Fairfax qualified as the first County Lieutenant and presiding justice in the county court, the date of organization may be deduced from his Northern Neck grant books, where it appears that he began to describe land as in the County of Fairfax with a grant dated November 2, 1742.⁵¹ Lewis Elzey was the first sheriff and Catesby Cocke, transferred from Prince William, the first clerk.⁵² There is a tradition that the organization was effected on the Occoquan,⁵³ which fits in with the probabilities, and it seems likely that those who took part were the justices, resident in Fairfax, who had been included in the last previous Prince William commission, viz: William Fairfax, John Colvill, Richard Osborne, Jeremiah Bronaugh, Lewis Elzey, William Payne, Thomas Pearson and John Minor. The first commission for Fairfax,⁵⁴ designated them of the quorum in a court which included also William Henry Terret, John Gregg, Gerard Alexander, Edward Barry, Daniel Jenings and Thomas Arbuthnot.

Meanwhile, on the same day the act creating Fairfax was approved (June 19, 1742), the Council⁵⁵

'Ordered, that the Court House of Fairfax County be built at a Place called Spring Field, situated between the New Church and Ox Roads, in the Branches of Difficult Run, Hunting Creek and Accotinck.'

The 'place called Spring Field,' so referred to, was happily named. It was a tract⁵⁶ of 1429 acres of land on which were collected the sources of Accotink, Wolf Trap of Difficult, Pimmet's and Scott's runs. Including thus a portion of the valley between the eastern and middle ridges of Fairfax, it extended to the northern plateau of the former, now known as Freedom Hill, and there the court house was built. The selection of the particular site undoubtedly turned on the fact that it was a natural station on what was in 1742 the main highway of the new county, the 'New Church [or the eastern ridge] road'

named, in the Council order, which lead from Hunting Creek, via Falls Church, to that northernmost gap in the Blue Ridge which may then already have been known as 'Key's' but was later to become 'Vestal's.'⁵⁷ Probably no place more generally accessible to the whole county (which, of course, then included the settlements on Goose Creek and Catoctin) could have been found. Here the Fairfax court was to remain for ten years and thereafter leave its memory as a landmark.

After Alexandria had been established, that enterprising community launched a movement to draw thither the seat of county administration. In the face of the opposition of the upper inhabitants, it offered to build a new court house by subscription and so save the county any expense by the move. This turned the decision. The earliest evidence is a resolution of the Committee on Propositions and Grievances in the Assembly, recorded March 10, 1752,⁵⁸ as follows:

'Resolved that it is the Opinion of this Committee, That the Proposition from the County of Fairfax, in opposition to the Proposition from that County for appointing the Court of the said County to be held in the Town of Belhaven, be rejected.'

At the ensuing meetings of the Council the proposal came before that Board and was, in due course, approved by the following resolutions:⁵⁹

1752, March 23. 'A petition subscribed by many of the principal inhabitants of Fairfax County for removing the court house and prison of that county to the town of Alexandria, which they propose to build by subscription, was this day read, Ordered that the justices of the said county be acquainted therewith and required to signify their objection against such removal, if they have any, by the 25th of next month, on which day the Board will resume the consideration thereof.'

April 25. 'Upon the petition of many of the inhabitants of Fairfax County for removing the court house and prison of the said county by subscription to the town of Alexandria, the Board being satisfy'd that it is generally desired by the people, and on notice given, no objection being made to it, Ordered that the court house and prison be removed accordingly to the town of Alexandria.'

Governor Dinwiddie thereupon issued his proclamation, as was reported in the *Virginia Gazette* on April 30, 1752,⁸⁰ and so the transfer was accomplished.

The first session of Fairfax court to be held at Alexandria was on May 3, 1752,⁸¹ and there it remained for nearly half a century. The second court house, so established, stood on the east side of the Market Square, facing Fairfax Street between Cameron and King, nearly opposite to the Carlyle House. There was some delay in completing it. On December 19, 1754, the Trustees of Alexandria entered in their minutes⁸² an order

'that John Carlyle, John Dalton, George Johnston and William Ramsay do what is further to be done towards finishing of the Court House.'

By 1788 this second court house had fallen into decay. When the question of repairing or rebuilding it was under consideration there arose a point of constitutional law as to the right of the County Court to 'levy tobacco' for the cost of the work. Virginia had then only recently achieved her estate as a sovereign Commonwealth and precedents were in the making. At the January court, 1789,⁸³ George Mason objected that, under the Virginia Bill of Rights, the power of taxation in such cases had been taken from the County Court, and was sustained in his position only by the close vote of 12 to 10.⁸⁴ Application was accordingly made to the Assembly for power to act.

By the time this question came before the legislature in the December of 1789, Virginia had passed her 'act of cession'⁸⁵ to the federal government of a site for the proposed national Capitol and there was the possibility that Alexandria might be excluded from Fairfax County. The action taken by the Assembly, therefore, took the form of an 'Act for altering the place of holding courts in the county of Fairfax.'⁸⁶ By this it was provided that a new court house should be erected by the county; and the site was specified to be in the vicinity of Ravensworth.

'on the lands of William Fitzhugh, gentleman, or on the lands of any other person within one mile of the cross roads at Price's Ordinary.'

The cross roads so selected seems to have been the junction of the east and west main road leading from Alexandria to Newgate (now called the 'Braddock' road) with either the 'Ravensworth Rolling road' leading south, or nearby with the 'Guinea road' leading north.⁶⁷ A preliminary survey of the prescribed terrain failed to reveal a suitable location, so at the February and April courts of 1790 it was ordered that compliance with the act of 1789 should be postponed until commissioners could report the result of a thorough study. At the May court this action was confirmed and it was ordered that the whole question be sent back to the Assembly upon the following report:

'The Comrs. appointed to view the land within one mile of Cross Roads at Price's Ordinary, and to treat with proprietors of the price of two acres whereon to erect a Court House, Prison, Pillory and Stock, returned the following report:

'In obedience to an order of the Worshipfull Court of Fairfax County, we, the subscribers, met at the house of Mrs. Price on Monday, the third day of the instant, and the question being put how we were to ascertain the mile mentioned in the order of court whether by a straight line, or measurement as the road now goes, it was determined the line ought to be run as the road, we plainly discerning the impracticability of the road being removed, either to the right or left of its present course, etc. We accordingly proceeded to lay off the mile, beginning at the centre of the cross roads at Price's and run northeasterly course nearly with the road, except in such places as the Commissioners were of opinion the present road may be straight[ened] and its course shortened; and we found our distance of one (1) mile from Price's to [be] one chain short of the place of Benoni Price said to be where the Ravensworth line crosses the road, which makes 322 poles to the land of Mrs. May West; which was viewed with great attention, and could find no proper situation for erecting public buildings thereon, there being no good water within four hundred yards, from the best information from the people living on the land. It being suggested to us that the land of Thomas Gratford, Jr., was

within one mile of Price's, we went and viewed the said ground and enquired of the tenant if the water was good and convenient to the place where we were viewing, and he informed us there was no good water near his house, and that he drank rain water. Therefore, we conceived it improper to erect a Court House, Jail, etc. We then taking into consideration the whole of the business, that the mile ended on the land of the heirs of Henry Fitzhugh, upon which a good site cannot be obtained, and secondly that the situation is but indifferent having no natural advantages for public buildings, thirdly that the situation on Thomas Gratford's land more exceptionable than the others, foreseeing the great expense that would attend removing the public roads nearly a mile from the present grounds, and greatly to the injury of individuals, we therefore make our report that we have no proper place within one mile of the cross roads from Price's which at present can be had or obtainable to erect a Court House, and gaol upon; and of course thought any applications to the proprietors unnecessary [as we] could find no proper situation for erecting public buildings.'

Thenceforth the question of removal dragged for ten years. The condition of the court house in Alexandria meanwhile became such that in November, 1790, the court recorded it to be 'unfit to transact business in at this time,' and 'until a decision of the several applications to the Legislature of this State is known, respecting the removal of the court house from the town of Alexandria,' they felt it necessary to move into temporary quarters. To this end the court did 'accept of the new court house over the market on the court house lot, offered to the County Court of Fairfax by the co-operation of the town of Alexandria.'⁸⁸ At last, in 1798, the Assembly acted.⁸⁹ After first restoring to Fairfax all that part of Cameron parish in Loudoun which lay above

'a line drawn from the mouth of Sugar Land run to Carter's Mill on Bull run,'⁹⁰

the Fairfax court was required

'to fix a place for holding court therein at or near the centre thereof, having regard to that part of Loudoun hereby added to the said County of Fairfax.'

This, of course, made necessary a site north of that proposed at Price's Ordinary. At this time the 'Fairfax and Loudoun Turnpike Road Company' was locating the new road to the Valley, which, after 1802, was to be known as the Little River Turnpike and was destined to become the main artery of the county leading out of Alexandria. The Fairfax Court had no difficulty in finding, at the junction of this new road with the Ox road, a site which satisfied the last requirement of the Assembly. Accordingly, on June 27, 1799, they took title at this cross roads to two acres of land by conveyance of Richard Radcliffe,⁷¹ on which to erect a court house and other buildings 'in pursuance of an Act of legislature'; and here was erected the third and, after an hundred and twenty years, the still existing Fairfax Court House.⁷² The necessary buildings were completed and occupied in 1800⁷³ in time for the Fairfax Court to remove from Alexandria before that town passed under the jurisdiction of the federal government and became part of the District of Columbia.⁷⁴

Loudoun

After Cameron parish had been in existence for six years, its inhabitants petitioned the Assembly (October, 1754) to erect them into an independent county. This petition was deferred to the next session and then, after a motion for further delay had been adopted, a bill was introduced and passed, only to be thrown out by the Council.⁷⁵ Nothing daunted, the 'upper inhabitants' of Fairfax renewed their petition to the next Assembly and were again told to wait.⁷⁶ At last, in April, 1757, a bill was introduced, which, after determined opposition from the Tidewater, passed both House and Council and became law, June 8, 1757.⁷⁷ By this act the original proposal to dock Fairfax by the parish lines was modified and a new county, to be named Loudoun,⁷⁸ was erected north of a boundary defined as

'above Difficult run, which falls into Potowmack river and by a line to be run from the head of the said run a straight course to the mouth of Rocky run.'

Meanwhile, in anticipation of the approval of the bill, the Council had, on May 24, 1757,⁷⁹ issued a commission of the peace

'for Loudoun, and that the following Gentlemen be in it, viz: Anthony Russell, Fielding Turner, James Hamilton, Aeneas Campbell, Nicholas Minor, William West, of the Quorum, Richard Coleman, Josias Clapham, George West, Charles Tyler, John Moss, Francis Peyton and John Mucklehany [sic].'

This court was organized on July 12, 1757, when Aeneas Campbell qualified as Sheriff and Charles Binns, as Clerk.⁸⁰ The Governor evidently had some difficulty in selecting a County Lieutenant, for it was not until December 1757 that he issued a commission. The choice fell on young Francis Lightfoot Lee, one of the sons of President Thomas Lee, who now established himself on some of his father's lands which fell into the new county; a little later he was named also 'first' in the commission of the peace.⁸¹

It does not appear where the Loudoun court held its earliest meetings.⁸² It was not until the summer of 1758 that the site for the court house was selected. The Council minutes⁸³ show that that question was first considered on May 3, 1758,

'Upon a Motion made and agreed to for Reasons appearing to the Board, it is Ordered that the Consideration of establishing the Court House for Loudoun County be postponed to the Day after the next Court of Oyer and Terminer, and that the Clerk write to the Sheriff requiring him to give notice to the Parties concerned to Attend.'

In pursuance of this notice the decision was made on June 15, 1758:

'The Council having this Day taken under Consideration the most proper Place for establishing the Court House of Loudoun County, it appearing to them that the Plantation of Captain Nicholas Minor was the most convenient place and agreeable to the Generality of the People in that County, it was their opinion, and accordingly Ordered, That the Court House for the said County be fixed on the Land of the said Minor.'

The site selected was an obviously convenient one, as well to the Quakers on Catoctin Creek as to the Potomac river and Goose creek men, for it was the cross roads formed by the junction of the 'Mountain road' leading from Alexandria to Key's (*alias* Vestal's) gap of the Blue Ridge with the 'Carolina road' leading southwest from the Potomac at the mouth of the Monocacy (later Noland's ferry). During the ensuing summer, Nicholas Minor⁶⁴ proceeded to lay out, in streets and lots, his land surrounding the site so selected for the court house, and, by an act of Assembly approved October 12, 1758,⁶⁵ it was provided:

'Whereas Nicholas Minor, of the county of Loudoun, gentleman, hath laid off sixty acres of his land adjoining to the court house of the said county, into lots with proper streets for a town, many of which lots are sold and improvements made thereon, be it enacted that the land so laid off . . . be and the same is hereby erected and established a town and shall be called by the name of Leesburg.'

The unusual language of the Council minute that the Loudoun court house should be '*fixed* on the land of the said Minor,' was prophetic. Before June 11, 1761,⁶⁶ the first court house was duly built on lots numbers 27 and 28 on the plat of Leesburg and there its successors have remained from that day to this,⁶⁷ a conservative accomplishment which is unique among the court houses of old Prince William.

In the economic depression of the lower tidewater region, which ensued upon the Revolution, several families, long established in the lower counties of the Northern Neck, transferred their residence to lands in what was then Loudoun, for which their fathers and grandfathers had taken grants. This migration, including Carters, Turbervilles, Lees, Balls, Eskridges and Berkeleys, determined what became locally known as the 'cavalier' character of the neighbourhood which reached from the branches of Cub Run and the Horsepen of Broad (including the Carter 'Frying Pan' lands) to the Little River

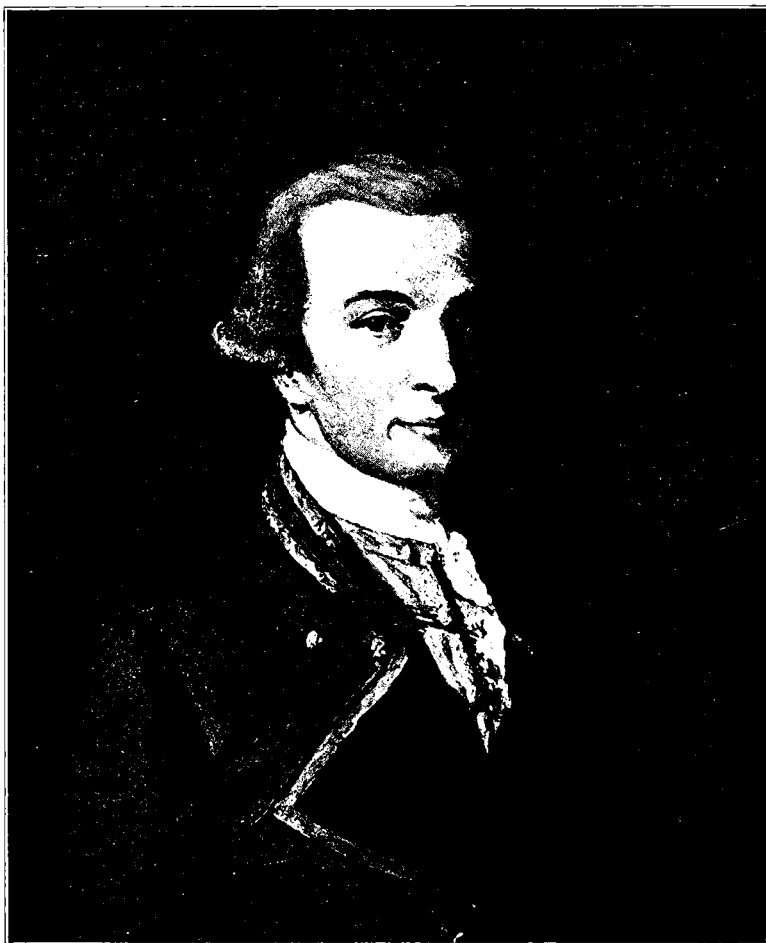
water gap at the north end of the Bull Run Mountain. The transplanted habit of life and of agriculture of this society was so markedly different from that of the Quakers on Catoctin that there soon developed misunderstandings in the conduct of the county administration of Loudoun. The 'cavaliers,' finding they could no longer control the local government, as their fathers had been wont to do in their communities, then brought forward a proposal to erect Cameron parish into a new county south of Goose creek and Little river. In November, 1782,⁸⁸ the Assembly had before it a numerously signed petition to that end, which included a plan to round out a boundary on the Bull Run Mountain by taking over the upper end of Prince William, above Chestnut Lick Run. It was argued with some show of justice that the size of Loudoun, as it then stood, 'renders it extremely difficult to attend the county court and calls of state, many of your petitioners having upwards of twenty-five miles to the court house' at Leesburg. A bait was held out for the acquiescence of the Quakers in an offer to waive all claim to 'the Court House and publick Buildings in the Town of Leesburg on the North Side of Goos creek,' and to build a court house for the proposed new county by subscription. But the Quakers, confident of their power in the new republican *regime*, would not agree to release so many important contributors to the cost of local government, and nothing came of the project at the moment. The agitation continued, however, and was the spring of a compromise reached in 1798.⁸⁹ Then, as we have already noted, the territory of Cameron was divided. A new southern boundary for Loudoun was defined and all the lands below the mouth of Sugarland Run and Carter's mill on Bull Run were restored to Fairfax. The majority of the 'cavaliers' were thus divorced from the Quakers. It does not appear whether they found the post-revolutionary society of Fairfax more to their taste, but, it is certain that they did not find in it an asylum from democracy. They proved quite unable to revive the habits and customs of the golden age of Mt. Vernon, and they soon found themselves even here surrounded by 'foreigners' who cared no more for the Virginia

tradition than did the Quakers on Catoctin. These new comers on the other hand were in sufficient numbers, and evinced such a glacier like persistency of character, that eventually they were able to shape the community civilization to their standards."⁹⁰

Thus was the new Fairfax aligned with the diminished Loudoun as a land of 'farms' where once had been 'plantations.'

Fauquier

In the spring of 1755, while Braddock was in camp at Alexandria preparing to march to his destruction, and John Marshall was still in his mother's womb, the 'back inhabitants' of the twice docked parish of Hamilton, felt that the time had come for the erection of a county of their own. The tide-water men of Dettingen were quite willing to end an association which had always irked them. It remained necessary only to convince the government at Williamsburg that the privilege had been earned. A petition for a new county was accordingly presented to the Assembly in May, 1755, and a bill was authorized to give it effect. The House of Burgesses promptly passed this bill, but the Council, still lacking confidence in the character of the 'back inhabitants,' refused assent; as contemporaneously it refused to approve a similar bill relating to Cameron parish."⁹¹ In April, 1757, this petition was renewed; but this time a counter petition from Dettingen, representing that there was proposed an undue reduction of the number of tithables in Prince William, caused the bill to be rejected in the House."⁹² When the petition was renewed the third time, in September, 1758, still further opposition developed. A series of counter petitions from Fairfax and Loudoun, obviously fishing in troubled waters, then urged that the territory between Bull Run and the Bull Run Mountains be divided between those counties; while Dettingen Parish contended that the docked Prince William be protected to the extent of an assurance of at least 2,000 tithables."⁹³ The net result of this discussion was delay in the realization of Hamilton's ambition. The bill for a new county was not introduced until March 17, 1759, but it was



FRANCIS FAUQUIER, ESQUIRE (1704-1768)

then promptly pushed through, and became law on the April 14th following.⁹⁸ By this act a new county of Fauquier⁹⁹ was carved out of Prince William above a boundary¹⁰⁰ described as

‘a line to be run from the head of Bull run and along the top of Bull run mountain to Chapman’s mill¹⁰¹ in Broad run thoroughfare: from thence by a direct line to the head of Dorell’s run; and from thence by a direct line till it intersects the nearest part of the line dividing Stafford and Prince William counties.’

The first commission of the peace for Fauquier was authorized by the Council, May 7, 1759,⁹⁸ and included, of course, a number of the justices who had previously sat in Prince William court. The roster was ‘Thomas Harrison,’ Joseph Blackwell, John Wright, William Blackwell, John Frogg, John Bell, William Eustace, John Churchill, William Grant, [of the quorum], John Crump, Duff Green, Yelverton Peyton, Thomas Marshall, George Lambkin, Wharton Ransdell, Elias Edmonds, Thomas McClennahan, and Richard Foote, Gent.’ A majority of these justices organized the new court on May 24, 1759, when Henry Churchill¹⁰⁰ qualified as County Lieutenant; Joseph Blackwell, as Sheriff; and Humphrey Brooke as Clerk.¹⁰¹

It remained to establish a court house. The local tradition is that the organization meeting was held at a private house in the vicinity of Elk Run Church. At that meeting the new court certified to the Governor its opinion,

‘that the plantation of John Duncan is the most proper and convenient place for a Court House of this County’;¹⁰²

but when the Council acted on June 13, 1759,¹⁰³ the decision was that

‘upon considering the most proper place for establishing the Court House of Fauquier County; for Reasons appearing to the Board, it is, Ordered That the Court House of the said County be fixed on the Land appertaining to Richard Henry Lee, Esq.’

The site so selected was on the Rappahannock branch of the Dumfries road¹⁰⁴ within the limits of President Thomas Lee's 'Great Run tract,' which had now descended to his son, the soon-to-be famous Richard Henry Lee of Chantilly in Westmoreland.

The first court held on the Lee lands was on June 25, 1759, 'in the house of William Jones.' Since then three court house sites, all in close proximity, have been successively occupied by buildings erected in 1760, 1762 and 1790. On the last and still use site, new buildings were constructed in 1853 and 1889.¹⁰⁵

When the original court house was established, Andrew Edwards had license to keep ordinary in its vicinity and probably at the same time Alexander Cunningham, one of the Scots merchants who then traded in northern Virginia, set up nearby a 'Red Store.' From this nucleus a village grew up, but it was not until the third court house was built, in 1790 on the present site, that Richard Henry Lee had a limited area of his surrounding lands laid off in town lots with regular streets. This was a mere proprietary arrangement, for no application had even then been made to the Assembly to give 'Fauquier Court House' a municipal status.

In 1777 Hezekiah Balch, a graduate of Princeton, established a classical school in Fauquier. In 1788 this was endowed with some of the Lee lands and was incorporated as 'Warren Academy,'¹⁰⁶ named in honour of the revolutionary hero of Bunker Hill. The school in turn passed on the name to the town. In 1797 a local deed referred to 'Fauquier Court House now called the Town of Warrenton,' and in 1807 'Warrenton' is laid down on Bishop Madison's map; but it was not until January, 1810, that a charter was secured confirming the name and establishing a municipality.¹⁰⁷

After the Revolution the area of Fauquier north and west of Pignut began slowly to fill up with population. The movement included not only a few Virginians who had inherited earlier land grants on Goose Creek and its tributaries, but many descendants of the original Irish settlers of the lands below Fauquier Court House who, since Mr. Jefferson's legisla-

tion of 1776 docking all entails in the Commonwealth, could now obtain fee simple titles in the Fairfax and Carter 'manors.' Considering the distance these people now found themselves from the place where public business was transacted, it was inevitable that they should soon demand that they be erected into a county of their own. The first definite proposal to that end was in November, 1795, when the Assembly had before it a petition to divide Fauquier into two nearly equal halves.¹⁰⁸ The signers were all residents in the 'upper end,' i. e., above 'the thoroughfare of the Rappahannock Mountain.' Prefacing that the county 'as it now stands contains between five and six thousand tithables,' the argument for division is interesting because it has since been perennial:

'That the said County of Fauquier from its great Extent (being full fifty six miles in Length) renders the attending of Courts extreemly inconvenient and burthensome to your Petitioners, when attending in Suits, Either as parties or witnesses, as well as in other necessary calls for attendance at that place, The Multiplicity of business in Court often occasions your Petitioners, even as witnesses, to attend many days; When they are obliged to submit to the Extravagant charges of the Tavern-keepers, or to press on the Neighbouring Farmers, when it is often found difficult to obtain a Lodging and Entertainment. Add to this the delay of Justice occasioned by the number of suits in the said Court.'

The proposed boundary was described as

'a Line to begin at the Mouth of Carter's Run, to extend across the said County to Intersect the Line which divides Fauquier and Prince William nearly Opposite to the house of William Herndon.'

From the map which accompanied the petition it appears that 'Herndon's' was $5\frac{1}{4}$ miles south of Chapman's mill in Thoroughfare gap, say at the modern Shepherdstown.¹⁰⁹ It thus follows that the proposed boundary differed from the Leeds parish boundary only in that it was enough further north to leave the court house in what was intended to be the lower county. It was, then, the evident purpose of the petitioners to

realize the colonial destiny of Leeds parish; but their proposal failed. A counter petition from the lower end was held 'reasonable' and that from the 'upper end' was rejected. The old precedents for the promotion of parishes into counties were now definitely broken.

The separatist sentiment persisted, however, though henceforth actuated by new considerations. With the opening of the nineteenth century began a progressively widening economic divergence of the communities in the upper and lower ends of Fauquier. This was due primarily to the dislocation of the old population, which took place after the Revolution, in the migrations which involved Fauquier with all of eastern Virginia. Of the two most numerous of these movements, the first, from 1782 to 1800, was chiefly of the smaller landholders who abandoned their grandfathers' seats in the low country and sought new homes either in the piedmont highlands or, in greater numbers, on the soldiers' bounty lands in Kentucky.¹¹⁰ The second, about 1825, affected the large landholders, including the Chotankers of Brenttown, and swept them in a truly astonishing procession to what was then called the 'Southwest.'¹¹¹ The vacancies thus left on the map were then filled up by the expansion of the Germans from Germantown and by the introduction of new elements from the tidewater who were content to seat themselves on lands deemed exhausted and so to be bought cheap, because they lacked the enterprise to follow the frontier. Neither the residents of Warrenton nor their kinsmen in the 'upper end' had much social sympathy with these new fellow citizens, but they were themselves too widely separated to join forces effectively. Those residents at the county seat were men of parts, mostly educated in the professions,¹¹² and they took full advantage of their opportunities to control the politics of the county and the machinery of local government. It was not long before the use of this power stirred jealousies among the larger tax payers who lived scattered on the grass lands of the highlands. After the two regions came to be served by different railroads and so to look out upon the world from different points of view, this divergence of political interest became

marked. In consequence, while there was yet opportunity, several new attempts to divide the county originated in the Goose Creek valley; but, as none was efficiently organized, always there was the same failure. At last in the Virginia Constitutional Convention of 1902 there was introduced into the fundamental law a provision¹¹³ that

'no new county shall be formed with an area of less than six hundred square miles, nor shall the county or counties from which it is formed be reduced below that area: nor shall any county be reduced in population below eight thousand. But any county the length of which is three times its mean breadth, or which exceeds fifty miles in length, may be divided at the discretion of the General Assembly.'

This provision, perhaps with specific intention, has effectively blocked, certainly for the time being, the still persistent aspirations of the 'upper end' for independence. Although Fauquier has twice the area of many of the counties of eastern Virginia, its compact shape is such that its length does not equal three times its mean breadth, nor does that length exceed the prescribed minimum of fifty miles; while the total area is 648 square miles.

Alexandria (now Arlington)

A by-product of Thomas Jefferson's bargain with Alexander Hamilton, which established on the Potomac the seat of the government of the United States, was the carving of another county out of Fairfax. Although this was entirely independent of the process of promotion of parishes into counties, it is a coincidence that the new county had practically that effect upon the parish of Fairfax.

Alexandria County had its origin in the act of Virginia of 1789.¹¹⁴ offering 'the cession of ten miles square, or any lesser quantity of territory within this state to the United States in Congress assembled for the permanent seat of the general government.' By the act of Congress of March, 1791,¹¹⁵ the President was authorized to lay out the District of Columbia so as

to include the town of Alexandria. When this was done, including also a portion of Fairfax,¹¹⁶ Congress assumed jurisdiction; and, in February, 1801, erected the Virginia territory, so taken over, into a federal County of Alexandria.¹¹⁷ The county thus derived its name from that of the pre-existing town.

In 1846 Virginia and the Congress agreed on a retrocession of that territory¹¹⁸; and a year later, resuming her jurisdiction, Virginia duly constituted the former federal County of Alexandria a county of Virginia with the same name, as from March 20, 1847.¹¹⁹ So the name remained until 1920 when, after a fierce dispute with the City of Alexandria,¹²⁰ the county procured the permission of the Assembly to change its name to Arlington.¹²¹

The Arlington County court house has long stood on the hill, now known as Fort Myer Heights, which overlooks the Potomac opposite Georgetown, D. C. The location is beside what has been, at least since 1733, the main thoroughfare of that community, the road leading to Falls church from the successor to that 'Aqueduct' bridge, which had in turn superseded the ferry known successively as 'Magee's', 'Awbrey's' and 'Mason's.'

NOTES TO CHAPTER TWENTY-TWO.

¹ The act is not in Hening, but see Robinson, *Va. Counties*, p. 83. The counties fronting the Rappahannock at first included the territory on both sides that river.

² Hening, i, 381.

³ Robinson, *Va. Counties*, p. 87; Hening, ii, 239.

⁴ Hening, i, 427: iii, 104.

⁵ *Ibid.*, iv, 95; Robinson, *Va. Counties*, p. 199.

⁶ *The changes in the County Boundaries in the Northern Neck*: It is now necessary to read the land grants to appreciate the fact stated in the text, for the political boundaries have been greatly modified. This began with minor practical rectifications for mutual convenience, such as those ordered by the Assembly in 1663 in respect to Northumberland and Lancaster; in 1667 in respect to Stafford, Westmoreland and Rappahannock; and in 1738 in respect to Westmoreland, Richmond and King George (*Journals H. B.*, 1659-93, p. 48; 1727-40, p. 383; Stafford court minutes, October 28, 1667). As early as 1677, and again a century later (1769), it was proposed radically to redistribute the territory of the narrow peninsula by running the county

boundaries from river to river, but on neither occasion did the proposal meet with favor (Hening, ii, 406, 421; *Journals H. B.*, 1766-69, p. 338). It was not until the American revolution when many corner stones disappeared, that the historical boundaries were abandoned. In 1776 (Hening, ix, 244) the original east and west boundary of Stafford and King George was altered to the present north and south boundary, spreading both counties entirely across the peninsula. Again, in 1777 (Hening, ix, 432), Westmoreland was docked back to Rosier's Creek on the Potomac and intruded to the Rappahannock below Bristol Mine Run, by exchange of lands with King George. The old ridge boundary now remains only south and east of the west end of Richmond.

⁷ *Journals H. B.*, 1712-1726, pp. 408, 414. While this bill was before the Assembly, 'King' Carter was drawing that will which he subsequently dated August 22, 1726. In it he referred to lands on Bull Run as being in Hartford County (*Va. Mag.*, v, 408; vi, 1).

⁸ *Journals H. B.*, 1727-40, pp. 72, 75, 76, 77, 81, 110; Hening, iv, 303. Governor Gooch's comment in reporting this act to the Lords of Trade (C. O. 5: 1322, p. 103) was simply that it was 'necessary for the convenience and benefit of the people interested.'

⁹ For the name, see *post*, p. 653.

¹⁰ *The Stafford-King George line*: The interior boundary between Stafford and King George, which was wiped out by this act, extended through the present county of Fauquier, but the tradition of its location was long lost. William Fitzhugh recorded the clew in his description in 1689 (*Va. Mag.*, ii, 372), of a course 'by and betwixt the branches of both the rivers Rappa. and Potowmack, that is now the known bounds of Stafford and Rappa. countys.' The line can be recreated from the land grants as a projection, between the heads of the waters of the Potomac and the Rappahannock, of the old Northern Neck ridge line, until the north end of the Rappahannock range is reached; thence the line turned west sharply below the springs draining into Goose creek, and terminated at the source of Hedgman's river in the Blue Ridge. The Winchester road follows this line approximately from the southern boundary of Fauquier through Warrenton to the village of Marshall. Thus Thomas Lee's grant (1718, *N. N.*, 5: 239), which included the site of Warrenton, was in Richmond, as being on Great Run of Rappahannock, while the grant of Parson John Bell (1724, *N. N.*, A: 92), adjoining Lee on the east, was in Stafford, as being on Cedar Run of Potomac. Parson Alexander Scott's grant (1727, *N. N.*, B: 85), at the north end of Rappahannock range, was described as being in both Stafford and King George, as drained by both Carter's Run of Rappahannock, and Broad Run of Potomac. Finally, a grant to John Mercer (1729, *N. N.*, C: 128), of lands 'near the Coblers Mountain,' was described as being in Stafford, as being on the waters of Goose Creek of Potomac.

¹¹ In his dispatch of July 10, 1731 (C. O., 5: 1322, p. 383) Gooch said:

'Since [last year] the People in this Dominion, as well as many Strangers from Pennsylvania, have discovered a strong Inclination to extend our settlements on the western side of the great mountains and on the River Cohongarooton, under Grants from this government [in order] to hold their lands of the Crown; to which they urge too that land doth of Right belong as lying beyond any part of those Rivers called or known by the Names Rappahannock or Potomack. On the other hand, the Proprietor's Agent insists that not only the main

streams which form those Rivers but all other Rivers and Streams which Communicate therewith, by what Names soever they are known, and the lands encompassed thereby, are within the limits of his grant I judge the Proprietor's charter can't have so large a construction as is pretended If all the lands be allowed to belong to the Proprietor of the Northern Neck, as his Agent pretends, the King will then have very little more land to dispose of in Virginia.'

¹² *N. N.*, C: 77, 78. See *ante.*, p. 245.

¹³ Hening, iv, 450, cf. also p. 77.

¹⁴ The earliest court records of the territory beyond Ashby's gap are in consequence still at Orange Court House (see Scott, *Orange County*, p. 31), but, as Mr. C. E. Kemper has pointed out, some people cautiously followed Col. Carter's lead and, until Frederick was organized in 1743, not only described their Shenandoah lands as in Prince William, but recorded their deeds in that county. Among the earliest surviving records at Manassas are several such deeds.

¹⁵ Hening, v, 78; vi, 376. But *cf.* Cartmel (*Frederick County*, p. 18) 'Owing to some delay of the population in these parts not being able to support a sufficient number of competent men able to officer the new county, the courts for all this section were held at Orange C. H. until November 11, 1743, when the first court was held for Frederick county.'

¹⁶ The act was passed March 23, 1748, but is noted in Hening, (vi, 211) only by title. For the text see Robinson, *Virginia Counties*, p. 204.

¹⁷ The Northern Neck map of 1746 elucidates this entire development by sketching in the county lines and laying down the proprietary boundary as adjudged in 1745 and surveyed in 1746.

¹⁸ The evidence of date rests upon two land grants (*N. N.*, C: 129, 130), of March 20, 1730/1, which were described as in Prince William. The county court order books and all other local records of the time of the organization are missing.

¹⁹ It was the practice of the Governor as Commander-in-chief to appoint the County Lieutenants without the advice of the Council, so that no record of this appointment appears in the Council Journal; but a subsequent record (*C. O.*, 5: 1420, p. 79) shows that 'Col. Harrison' was acting in that capacity during the warehouse insurrection in Prince William in 1732.

Thomas Harrison (1665-1746), 'of Chipawansic', was the son of the Burr Harrison of the Stafford of Parson Waugh's day (*ante.*, p. 137). In his youth he had lived for a time with his father on the frontier at Hunting Creek (see the deposition he made for Col. Byrd in 1737, *Westover MSS.* ed. Wynne, p. 105), and in 1706 he was one of the syndicate, including John West, William Harrison and Thomas Pearson, which took a grant of 4,639 acres (*N. N.*, 3: 153) on that stream below its fork; but in the following year he established himself in his father's residence on the upper side of Chipawansic (see *ante.*, p. 53, and his land grants, 1707-10, *N. N.*, 3: 170, 198; 4: 8) from which he took his designation during the remainder of a long and active life. He had succeeded his father as a justice of Stafford, and in 1731, when he was included in the new county of Prince William and in its commission, was, according to the testimony of his family Bible,

66 years of age. For this consideration of age it has been argued (*Va. Mag.*, xxiii, 215) that it must have been his son of the same name (*post*, p. 345) who was the active office holder during the decade following the organization of Prince William. The evidence is, however, to the contrary. 'Thomas Harrison' was first in the original commission of the peace for Prince William, while in 1733 'Thomas Harrison, jr.' was sheriff; and in the commissions of 1734 and 1742 both 'Thomas Harrison' and 'Thomas Harrison, jr.' are included. The senior had evidently been chosen by Gooch for the new responsibility, despite his age, by reason of the difficulty of finding a younger man of sufficient substance then resident in the new county. This hypothesis finds further support in the fact that in April, 1741, when William Fairfax moved into Prince William, he was at once substituted as County Lieutenant. After the organization of Fairfax it became necessary to reappoint Thomas Harrison, sr., and thenceforth he held the post until his death. Then at last he was succeeded by his son, as appears from a commission of the peace issued in 1752.

²⁰ The eighteenth century Clerks of Prince William were Catesby Cocke (for whom see *ante.*, p. 155), 1731-1742; Peter Wagener (for whom see *post.*, p. 433), 1742-1752; John Graham (the founder of Dumfries. See *post*, p. 394), 1752-1777; Robert Graham, 1777-1795; John Williams, 1795-1813.

²¹ C. O., 5: 1420, pp. 47, 48.

²² On November 4, 1731, a new commission added Charles Broadwater, William Godfrey, Benjamin Grayson and Richard Osborne. After Fairfax was created, in 1742, another commission was made up of 27 names in which were included only five of the original justices, viz: Harrison, Jones, Hudnal, Grayson and Wright, being those who resided below Occoquan and Bull Run.

²³ Prior to 1742 the succession of Sheriffs of Prince William was Robert Jones, 1731-32; Thomas Harrison, jr., 1733; Jeremiah Bronaugh, 1734-35; John Allen, 1736-38; Francis Awbrey, 1739-40; John Diskin, 1741.

²⁴ There is no surviving record of this survey, nor of who was the Surveyor who made it.

²⁵ Rowland, i, 50, quoting the Mercer Land Book, for which see *W. & M. Quar.*, xiii, 165.

²⁶ C. O., 5: 1423, pp. 198, 209, 224.

²⁷ This was the original Brent Town, not Brentsville. (See *ante.*, p. 193).

²⁸ The matter between square bracketts is from the draft minutes of a meeting of the Council on October 22 (printed in *Va. Mag.*, xv, 384, 389; xvi, 20), and was not included in the final record as sent to England. The sites mentioned were all on Cedar Run.

²⁹ *Manassas Journal*, 19, May, 1911. Not having access to the Council Journal, Mr. Round thought this the *first* Prince William court house. Philemon Waters was one of the Huguenots who seated the land below Cedar Run (see *ante.*, p. 190). His land grants were in 1712 and 1725 (*N. N.*, 4: 95; A: 194). Philemon's Branch, which drains the court house site (see *N. N.*, E: 268), took its name from him.

It is of interest to note in connection with the selection of this

site that a year previously, on June 12, 1741, Parson Charles Green of Truro took a land grant (*N. N.*, E: 268) for 600 acres 'on Philemon's Branch, being a branch of Cedar run, and on the branches of Quantico'; and on November 5th following (*Prince William D. B.*, E: 506) conveyed the land to William Fairfax. This was ridge land back of Waters' plantation and had been acquired with the purpose of exploiting the mineral deposits, which give the name 'Goldvein' to the modern settlement upon it. The possession of this tract may have had its influence in determining the court house site.

³⁰ *C. O.*, 5: 1429, p. 61.

³¹ See the testimony in the contested election case of *Peyton v. Lee* in *Journals H. B.*, 1761-65, p. 125.

³² Writing in 1835, Joseph Martin says (*Gazetteer*, p. 274): 'The country around is thickly settled and the inhabitants are distinguished for their moral deportment. The land . . . was of universally good quality but has been much abused by a system of miserable cultivation.'

³³ See *ante.*, p. 194.

³⁴ Acts, 1819-20, ch. 87, p. 76; 1821-22, ch. 93, p. 69; Martin's *Gazetteer*, 1836, p. 273.

³⁵ *Manassas*: Acts, 1801-92, ch. 277, p. 459. In 1836 (Martin, *Gazetteer*) a post office called Liberia had recently been established at the cross roads called Newmarket (cf. the Nine Sheet Map), to which John Davis referred while he was living with Spencer Ball at 'Portici.' After the railroads were opened in 1852 there grew up about their nearby 'Manassas Jc.' a settlement which superseded Liberia as a post office. After a lurid experience as a federal depot during the war between the states, this new village was, in 1873, incorporated as the town of Manassas (Acts, 1872-73, ch. 362, p. 354).

³⁶ Hening, xii, 532.

³⁷ Acts, 1799, ch. 56, p. 29; Shepherd, ii, 242.

³⁸ Acts, 1804-05, ch. 50, p. 38; Shepherd, iii, 168.

³⁹ Revised Code, 1819, i, 226.

⁴⁰ Acts, 1811-12, ch. 90, p. 121.

⁴¹ *Old Churches*, ii, 215.

⁴² See *ante* p. 235.

⁴³ See the record in August, 1736, of Osborne's expulsion from the Assembly (*Journals H. B.*, 1727-40, p. 264). In a land grant of March, 1741/2 (*N. N.*, E: 416), Thomas Osborne is recited dead.

⁴⁴ In May, 1740, Valentine Peyton (then a burgess), John Diskins, Anthony Seale, Thomas Stribling and Thomas Harrison, jr., Justices of Prince William, were cited before the Assembly and required to apologise for refusing at the March court preceding to certify certain propositions which had been submitted to them. *Journals H. B.*, 1727-40, pp. 413, 414, 429.

⁴⁵ *Journals H. B.*, 1727-40, pp. 124, 284, 333, 405.

⁴⁶ *William Fairfax* (1691-1757) was born in Yorkshire, son of a younger brother of the fifth Lord Fairfax. After a subaltern's career in the navy during the war of the Spanish Succession, he resigned in 1712 to embark in the colonial service. His preliminary essay was

with 'John Company' in India. In 1718 he went to the Bahamas under Capt. Woodes Rogers, the first royal governor of those islands. There he served various offices, including that of Secretary of State and acting Governor. In 1729 [not 1725, as stated by Burnaby] his friends at home got him the more lucrative appointment as Collector of Customs at Salem in Massachusetts; from which he was transferred again, in 1733, to be Collector of Customs for the South Potomac in succession to Henry Moryson, deceased (*Cal. Treasury Books and Papers*, 1731-34, pp. 398, 524). The purpose of this last transfer was to enable him to act as agent for the Northern Neck proprietary in succession to Robert Carter under a power of attorney from Lord Fairfax dated February 21, 1733/4 (*Prince William D. B.*, B: 349). On his arrival in Virginia he established himself in Westmoreland, where he was added to the commission of the peace in September, 1734 (Council Journal, C. O., 5: 1420, p. 60). His inclusion also in the King George commission in March, 1736/7 (*King George O. B.*, 1735-51, pp. 97, 245) recorded the removal of his residence from Westmoreland to the vicinity of Falmouth, where he occupied Charles Carter's house, 'Standstead.' In like manner, his inclusion in the Prince William commission in 1741 marked his definite establishment in the house he had meanwhile built for himself at Belvoir on the Potomac. After service as a burgess from 1741 to 1743, he was advanced to the Council as the successor to old Commissary Blair. By seniority he succeeded as President of the Council at the beginning of Governor Dinwiddie's proconsulship. He married three times: (1) in India, a lady whose name is lost; (2) in the Bahamas, Sarah Walker; and (3) at Salem, Deborah Clarke; and left children by his last two wives, one of whom ultimately succeeded as the eighth Lord Fairfax. There is a pleasant, if not altogether accurate, account of William Fairfax in Archdeacon Burnaby's *Travels Through the Middle Settlements* (1798), but his best monument consists of his surviving letters, some of which have been printed by Neill (*The Fairfaxes of England and America*), and others by Hamilton (*Letters to Washington*).

⁴⁷ See the poll list from Prince William records in Boogher, *Gleanings*. The other candidates were John Colvill, Valentine Peyton and Richard Blackburn.

⁴⁸ *Journals H. B.*, 1742-49, p. 18.

⁴⁹ *Journals H. B.*, 1742-49, pp. 25, 27, 30, 36, 40, 70; *Legislative Journals of the Council*, ii, 912, 914, 916; Hening, v, 207. For the name see *post*, p. 655.

⁵⁰ *The Loudoun-Fauquier line*: Cf. Hening, iv, 367. The portion of this line which was arbitrary (i. e., from the source of Bull Run, in Cool Spring gap of the Bull Run Mountain, to Ashby gap) long remained locally unmarked. It is an evidence of the delay in the settlement of the country traversed that the uncertainty as to the boundary seems to have caused no serious trouble until 1786, when a road was built on the old trail leading from the ford of Little River to Ashby gap (Hening, xii, 294). Following closely the reputed county boundary, but weaving with the contour of the country, this highway opened old fence lines and ultimately made necessary a new word from the Assembly (Acts, 1823-24, ch. 77, p. 82). Loudoun and Fauquier then made (and recorded in their respective courts) the official survey which established as a corner a 'double bodied poplar tree standing in or near the middle of the thoroughfare of Ashby's gap on the top of the Blue Ridge.' This tree continued to stand as

a landmark until 1907. For a picture of it in its old age, and the legends which had collected around it, see A. Hunter, *Women of the Debatable Land*, (1912), ch. xiii.

⁵¹ Cf. *Journals H. B.*, 1752-58, pp. 374, 377, 462 and *N. N.*, E: 519.

⁵² The eighteenth century Clerks of Fairfax were Catesby Cocke, 1742-1746; John Graham, 1746-1752; Peter Wagener, 1752-1774; Peter Wagener, jr., 1774-1798; George DeNeale, 1798-1801. The first three served also as Clerks of Prince William (see *ante.*, note 20).

⁵³ Hall, *Fairfax County*, 1907. If the first meetings of the Fairfax court were not held in the original Prince William court house below the Occoquan ferry, they may have been held either at the Pohick church, which then stood on the stream of that name, or else at the house of Catesby Cocke, above the Occoquan ferry, where Colchester was subsequently to arise.

⁵⁴ It was not issued until November 4, 1742 (*C. O.*, 5: 1423, p. 215)

⁵⁵ *Ibid.*, 5: 1423, p. 98; *Va. Mag.*, xv, 384.

⁵⁶ *The first Fairfax Court House*: On November 6, 1740, John Colvill took a land grant (*N. N.*, E: 182) for 1429 acres 'on the branches of Accotink, Wolf Trap, Pimmet's and Scott's runs,' and by deed dated December 2nd following (*Prince William D. B.*, E: 214) conveyed this property to William Fairfax, designating it as 'known as Springfield.' By deed dated September 20, 1745 (*Fairfax D. B.*, B: 493), William Fairfax conveyed six acres of this tract to the justices of Fairfax, described as 'where the court house is now erected and built,' limiting the estate to 'the time that the court shall continue to be held thereon, but no longer.' In his will, dated February 6, 1755, William Fairfax recited, 'I likewise give, bequeath and devise unto my son William Henry, and his heirs forever, all my tract of land containing about 1400 acres and called in my deed by the name of Springfield, together with the late Court House of this County, the ordinary and other houses erected and improvement thereon by lease or otherwise.'

⁵⁷ The 'Ox road,' mentioned in the Council order, followed the middle ridge all the way from the Occoquan to the Carter's 'Frying Pan' on the Horsepen of Broad, and so was generally parallel with the 'New Church [or eastern ridge] road.' Doubtless the crossroad which leads from the present day Fairfax Court House to 'Tyson's Cross Roads,' and thus connects the two ridge roads, was opened soon after 1742 to afford those who dwelt on the lower reaches of the Ox road a convenient access to the first court house.

⁵⁸ *Journals H. B.*, 1752-58, p. 27.

⁵⁹ *C. O.*, 5: 1423, pp. 529, 539.

⁶⁰ 'His Honour the Governor has been pleased to issue a Proclamation adjourning the County Court of Henrico to the Town of Richmond at the Falls of James River, and the County Court of Fairfax to the Town of Alexandria on Potowmack.' (Quoted in *W. & M. Quar.*, xii, 215.)

⁶¹ The court minutes of this period are missing, but, in a contemporary deed (*Fairfax D. B.*, C: 314), there is a recital of this date.

⁶² *Records of the Meetings of the Trustees of Alexandria, 1749-1768*, MS.

⁶³ The quotation from the proceedings of Fairfax court which here follow are from the MS. minute books of that court.

⁶⁴ Mr. R. Walton Moore, of Fairfax, makes the pertinent comment, 'it is interesting to note that the author of the Bill of Rights imposed his construction of that instrument upon the court by but a narrow majority.'

⁶⁵ Hening, xiii, 43.

⁶⁶ *Ibid.*, xiii, 79.

⁶⁷ *Price's Ordinary*: These roads intersect the 'Braddock road' about half a mile apart. See Choate's map (1910) for the names. It has been assumed by Fairfax tradition that 'Price's Ordinary' was on the site of the present Fairfax Court House and it is so marked on the Choate map. But this cannot be reconciled with the reference to the vicinity of the Fitzhugh lands, Ravensworth. The Fairfax records have been searched in vain for a definition of Price's location.

⁶⁸ Apparently the decay of the court house of 1752 was such that Peter Wagener, the Clerk, had been compelled to remove the records to his residence. In February, 1791, his son, and successor as Clerk, was authorized 'to occupy the town school house as an office'; and in February, 1793, the court found the inconvenience of being separated from its records so great that the Clerk was ordered to remove them to 'the old town house' adjacent to the market, where the court was then sitting.

⁶⁹ Acts, 1797-98, ch. 37, printed in Shepherd, ii, 107. For the reason for this restoration, see *ante.*, p. 329.

⁷⁰ As shown by Yardley Taylor's *Memoir of Loudoun* and his accompanying map (1857), the line was run from the mouth of the 'old channel' of Sugar Land (Rowe's Island) which is some distance east of the present mouth of that stream. 'Carter's Mill' was above Sudley, where the Gum Spring road crosses Bull Run.

⁷¹ *Fairfax D. B.*, BB: 373.

⁷² *Fairfax Court House*: The village which grew up around the new court house was in 1805 (Shepherd, iii, 177), established 'a town by name of Providence'. In 1842 (Acts, 1841-42, ch. 196, p. 126) this town became 'the corporation of Providence,' but in the Virginia practice it was still, as it always had been commonly, called 'Fairfax Court House.' When, after the war between the states, the Culpeper shire town abandoned the name Fairfax, which it had borne since 1759, and assumed that of the county (Hening, vii, 306; Acts, 1869-70, ch. 118, p. 154) the Fairfax shiretown went through the same process and was duly incorporated as 'the town of Fairfax' (Acts, 1874-75, ch. 47, p. 36; 1891-92, ch. 282, p. 464).

⁷³ The court minutes of this period are missing and there is no record of the first session held at the new court house; but that it was prior to January 1, 1800 appears from incidental recitals in other records. One of them was the probate here of the will of George Washington on January 20, 1800, recorded by George Deneale, then Clerk of Fairfax.

⁷⁴ The act of Congress extending jurisdiction over the District of Columbia was approved February 27, 1801.

⁷⁵ *Journals H. B.*, 1752-58, pp. 212, 243, 264, 265, 272; *Legislative Journals of the Council*, iii, 1138.

⁷⁶ *Journals H. B.*, 1752-58, p. 352.

⁷⁷ *Ibid.*, pp. 425, 427, 432, 434, 446, 470, 492; Hening vii, 148.

⁷⁸ For the name see *post*, p. 655.

⁷⁹ C. O. 5: 1429.

⁸⁰ The early Clerks of Loudoun were Charles Binns, 1758-1796; Charles Binns, jr., 1796-1837; Charles G. Eskridge, 1837-1851 (Johnston, *Old Virginia Clerks*).

⁸¹ Francis Lightfoot Lee (1734-1797) lived in Loudoun until 1769, when he married Rebecca Tayloe, of Mt. Airy, and removed to 'Menokin' on the Rappahannock in Richmond. There he maintained his residence for the remainder of his life, but was, by his brothers, always called 'Loudoun'. In addition to his other local dignities, he and James Hamilton were the first burgesses to represent Loudoun in the Assembly.

It was his nephew, Ludwell Lee (1760-1836), second son of Richard Henry Lee, who built Belmont on Goose Creek and ended his days there, after having lived most of his life on Shooters Hill above Alexandria (see *Lee of Virginia*).

⁸² The minutes of July 12, 1757, recite simply that the court sat 'at the Court House,' which, considering the date, may mean anything.

⁸³ C. O. 5: 1429, pp. 12, 26.

⁸⁴ *Minor of the Northern Neck*: The pedigree of this interesting family remains to be worked out, for they do not appear to be related to the descendants of the naturalized Dutchman, Myndert Doodes, who in Virginia have borne the name Minor (see Hening, ii, 308; *Va. Mag.*, x, 97, xi, 444). The following tentative notes are recorded in aid of such a study.

In 1684 there was a Nicholas Minor who was a justice in Westmoreland and is mentioned in one of Fitzhugh's letters (*Va. Mag.*, i, 272). In 1698 there is a Westmoreland will (Crozier) of one John Minor, naming, among other sons, Nicholas and John. The former seems to have remained on his father's lands (see the land grant of 1715, *N. N.*, 5: 144), but the latter migrated above Occoquan, and was the Capt. John Minor who, as a justice of Prince William, was included in the first commission for Fairfax, and was a vestryman of Truro in 1744. He married a McCarty and seems, from the county records to have lived on Pohick. In 1745 he purchased a parcel of property at the head of Hunting Creek on which (as we shall see, *post*, p. 414) he proposed to lay out a town to be called 'Cameron', but accomplished no more than the establishment of an ordinary.

This Captain John Minor of Fairfax died in 1752, leaving a will (*Fairfax W. B.*, B: 31) in which were named seven children, including an eldest son, the Nicholas of the text, who inherited a tradition of town promotion. After his father's death he acquired by purchase (not, as has been assumed, by inheritance of his father's land grant of 1741, *N. N.*, E: 396; for that was on the south fork of Catoctin and passed in 1743 to Amos Janney, *Fairfax D. B.*, A: 116) a plantation 'above Goose Creek', on the Alexandria-Key's gap road. It was here that he maintained in 1755 the ordinary (marked 'Miner' on the Fry and Jefferson map, and recited in Sir Peter Halket's marching

orders, as well as in Mrs. Browne's *Diary*), which was the nucleus of Leesburg. After Braddock's defeat he saw active service in the field as captain of Fairfax militia (Hening, vii, 217, 222) and thereafter lived out his life as one of the leading men of Loudoun.

⁶⁵ *Leesburg: Journals, H. B., 1758-61*, pp. 20, 45; Hening, vii, 235. The town was incorporated in 1813 (Acts, 1812-13, ch. 72, p. 100).

⁶⁶ Nicholas Minor's deed to the justices of Loudoun of that date (*Loudoun D. B., B: 149*) recites the lots as those 'whereon the court house and prison now stand.'

⁶⁷ The present court house of Loudoun dates from 1894.

⁶⁸ The MS. petition is on file in the State Library at Richmond. With it is a rough map of Loudoun, showing Cameron and Shelburne parishes, and the proposed division of them into two counties.

⁶⁹ Acts, 1797-98, ch. 37, printed in Shepherd, ii, 107.

⁷⁰ See Sears' (*United States*, 1848, p. 388) description of Fairfax County: 'Large tracts have that aspect of desolation which is peculiar to worn out tobacco lands The result generally is a spontaneous growth of cedars and low pines, a sterile and forbidding appearance and a general abandonment of the land by the inhabitants. The soil, however, has proven valuable in the hands of farmers accustomed to a different system of agriculture. Tracts have been rendered productive . . . where bodies of settlers from New York, principally of German extraction, purchased land at very low prices a few years ago, and are already in flourishing circumstances.'

⁷¹ *Journals H. B., 1752-58*, pp. 247, 249, 253, 255, 263; *Legislative Journals of the Council*, iii, 1136. Unfortunately, the petition from Hamilton is not quoted in full and there is no record of the precise proposal. That it was broader than the subsequent legislation appears likely from the fact that the bill was amended substantially while on its passage. Doubtless the first proposal was to include all of Hamilton, as it then stood, in the new county; which would have included the upper end of the present day Prince William.

⁷² *Journals H. B., 1752-58*, pp. 430, 436, 444, 445, 448.

⁷³ *Journals H. B., 1758-61*, pp. 22, 62, 77, 82, 100, 102, 113.

⁷⁴ *Ibid.*, 1758-61, pp. 98, 108, 115, 119, 128; Hening, vii, 311.

⁷⁵ For the name see *post*, p. 656.

⁷⁶ As the line did not conform to the boundaries of Hamilton parish, it was obviously a compromise of the contending claims which have been noted.

⁷⁷ *Chapman's Mill*: This evidence of the antiquity of a familiar landmark which appears on John Henry's map and is now a railway station in Thoroughfare Gap, is confirmed by a tablet set into the front of the mill, which still stands. This tablet, erected in 1858, to commemorate a century of service by the mill, records the names of six Chapmans who had then operated it, beginning with the Jonathan who had the land grant in 1742 (see *ante.*, p. 262). The mill was later acquired by the Beverleys and now bears their name.

⁷⁸ See Groome, *Fauquier County Historical Notes* (1914) quoting the earliest minutes of the Fauquier court. The record is missing from the Council Journal which was sent to England and is now among the C. O. papers.

⁷⁹ *Thomas Harrison, the younger*, was a son of Thomas Har-

ri son of Chipawansic (*ante.*, p. 338) and a grandson of the ambassador to the Piscataways. He makes his appearance as 'Thomas Harrison, jr.' in 1733, when he served the office of Sheriff of Prince William, and thereafter is so designated with his father in several commissions for Prince William until, after his father's death in 1746, he succeeded him as 'first' in the County Court and probably also as County Lieutenant. His residence (indicated on John Henry's map, 1770, and with precision on a plat of the Prince William-Fauquier boundary, made in 1759, which remains among the Prince William records) was below Dorrell's run, immediately west of the county line. He was thus included in Fauquier when that county was erected, but remained in Dettingen parish.

He qualified as the first presiding justice of Fauquier, and in 1761, after the death of Henry Churchill, as County Lieutenant (Fauquier Historical Society *Bulletin* No. 2, p. 75). He sat also as one of the burgesses for Fauquier from 1760 to 1769, when he subscribed that roster of the most enlightened men in the colony who were then seeking to encourage manufactures (Hening, vii, 568).

This Thomas Harrison died in January, 1774 (*Va. Mag.*, xxiii, 332). It was apparently his son, third of the name, who, living in 1750 (*N. N.*, F: 359) on his grandfather's Hunting Creek patent of 1706, survived the Revolution and migrated to Kentucky.

¹⁰⁰ *Armistead Churchill* (1704-1763) of Bushy Park on the Rapahannock in Middlesex, held most of his property under his father's entail (Hening, vii, 157), but when he made his will, in August, 1758 (*W. & M. Quar.*, viii, 49), he declared his ownership of a 'tract of land in Prince William' containing more than 6,400 acres. *Fauquier D. B.*, 1: 304, shows this to have been a purchase from Mann Page of the tract of 10,610 acres on the branches of Cedar run (Licking, Owl, and Turkey) which had been granted August 28, 1724 (*N. N.*, A: 65). His will shows that Churchill contemplated that this tract should be the portion of his younger sons and, on the organization of Fauquier, we find three of them, John, Henry and Armistead, jr., duly established as residents of the new county. These young men had every opportunity to put Fauquier on the political map of Virginia from the day of its organization, for they belonged by birth to that inner circle of what was in 1759 still the governing class of the colony—that closely inter-married group of large holders of entailed lands who filled the seats of the Colonial Council and were ultimately the butt of Thomas Jefferson's revolutionary arrows. Both their grandfathers (William Churchill and Nathaniel Harrison) and two great grandfathers (John Armistead and Benjamin Harrison) had been of the Council. They were, too, first cousins of 'Councillor' Robert Carter of Nomini.

Henry Churchill (1732-1760) was one of the select company of eighteenth century Virginians who had been called to the English bar (Bedwell, *American Middle Templars*, Am. Hist. Rev., xxv, 682). He was only 27 when he was appointed County Lieutenant, and died soon after. His brother, Armistead, emigrated from Fauquier to Kentucky in 1787 and has there left many descendants (See *W. & M. Quar.*, vii, 187; viii, 47; ix, 246; Hayden, p. 253; Hening, vii, 157; *Parish Register of Christ Church, Middlesex, passim*).

¹⁰¹ The early Clerks of Fauquier were Humphrey Brooke, 1750-1793; Francis Brooke, 1793-1805; Hugh R. Campbell, 1805-1813; Daniel Withers, 1813-1821 (Johnston, *Old Virginia Clerks*).

¹⁰² *The early Fauquier court houses:* Lacking definite record evidence (See the court minutes in Groome, *Fauquier County Historical Notes*, 1914) the local tradition as to the places at which the Fauquier court held its earliest sessions has been conflicting. The most persuasive statement, made by Mr. Henry I. Hutton of Warrenton, is as follows: 'Old residents of Morrisville point to a site about one mile north of that village as the location of the house at which the First Court was held. It was then removed to Fayetteville and thence to the location on which the first Court House was eventually built.'

It would be altogether likely that the court should organize in the vicinity of Elk Run Church, for the parish church was already a familiar place of community gatherings, and this probability gives colour to the Morrisville tradition. It would be likely, too, that the court recognized the necessity of a permanent court house site more nearly in the geographical centre of the new county. The site described by the tradition as Fayetteville is that of the town of that name established in 1798 (Shepherd, ii, 120) at the junction of the Carolina and Marsh roads on the upper waters of Marsh Run. On the footing of convenience of the existing population this would have been a likely site in 1759 and, indeed, during the many subsequent years in which the Elk Marsh settlement preponderated in Fauquier; but the evidence of the land records is that the tradition as to this site is a confusion of the house of John Duncan, named in the court minutes, with that of this John Duncan's son and grandson (Joseph and Howson Duncan) which was at Fayetteville (See *Fauquier D. B.*, 6: 34; 14: 312; 15: 190. Howson Duncan is named as one of the proprietors of Fayetteville in the act of 1798). The plantation of John Duncan which was recommended by the court at its organization meeting (May 24, 1759) and where the court met on June 28, 1759, was several miles north of the site of Fayetteville. Its convenience lay in the fact that it included the junction of the Marsh Road and the Dumfries-Rappahannock road near Turkey Run Church. The evidence for such a location is that William Russell (*N. N.*, A: 130) had a land grant in February, 1724/5, on Turkey Run adjoining Mann Page; which it appears (*Fauquier D. B.*, 1: 329) he sold to John Holtzclaw, whose daughter, Elizabeth, married John Duncan; and that in June, 1762, Duncan in turn sold the Russell-Holtzclaw tract to Samuel Porter. From this it would follow that the negation by Governor Fauquier of the court's recommendation of the Duncan plantation did not involve a material change of location, but meant only that Richard Henry Lee's political influence prevailed in securing the selection of his own land. The site on which the court house was established was only about a mile north of the house in which John Duncan lived in 1759.

¹⁰³ C. O., 5: 1429, p. 61.

¹⁰⁴ The precedent in the choice of a court house site was to find a convenient cross roads. The Fauquier court house of 1760 did not observe this rule, with the result that after the Winchester road had been definitely diverted over Warrenton hill the court house built in 1790 was located east of the 1760 site, at what had become the junction of the Winchester and Dumfries-Rappahannock roads.

¹⁰⁵ See the Warrenton map and the discussion of it in *Fauquier Historical Society Bulletin No. 1* (1921).

¹⁰⁶ Hening, xii, 685. Martin Picket was the prime mover in the

establishment of this school. See the reference to it in John Davis' *Diary*.

¹⁰⁷ Acts, 1809-10, ch. 41, p. 37. Warrenton was incorporated in 1816 (Acts, 1815-16, ch. 84, p. 203).

¹⁰⁸ *Journals H. D.*, 1792-95, pp. 21, 89. The MS. petition is in the archives in the State Library at Richmond, and with it is a map of Fauquier, showing the proposed division as drawn by John James, November, 1795. The surnames of the signers include many which appear in the land grants Robert Carter had made on the waters of Cedar run from 1724 to 1731; but the petitioners were now seated on the lands in the upper end where their descendants can be found today.

¹⁰⁹ William Herndon appears to have lived in Prince William, but in 1783 he took title to a small tract in Fauquier (*D. B.*, 8: 25) in this vicinity.

¹¹⁰ 'These transigrations are generally removals from an old to a new country. The attachment to local property is yet but little known among the Americans. The soil on which they were born, nay that which they have themselves rendered fit for cultivation, is valued by them little more than any other,' Duc de la Rochefoucault, *Travels through the United States . . . in 1795*, London, 1799, p. 107.

¹¹¹ *The migration to the Southwest*: One who has travelled in the states which make up the 'old Southwest,' Alabama, Mississippi, west Tennessee and Kentucky, is constantly meeting men and women who say with pride, 'my grandfather was born in Fauquier,' or 'my great grandmother came from Fauquier.' The county has been a fruitful nursery of other communities, but herself has remained in equilibrium.

There remains an opportunity for an interesting study of the details of these migrations, for which the contemporary tax books of Fauquier, now deposited in the State Library at Richmond, will furnish the raw material. A preliminary examination of those books bears out the statements in the text.

¹¹² Cf. Capt. Gordon McCabe's comment on Warrenton as late as 1869 (*Va. Mag.*, xxiv, p. xxix) 'nearly the whole adult population of Warrenton consisted of lawyers and there was but a limited number of clients.'

¹¹³ *Constitution of 1902*, Section 61.

¹¹⁴ Hening, xiii, 43.

¹¹⁵ *U. S. Statutes at Large*, 1: 214.

¹¹⁶ Richardson, *Messages and Papers of the Presidents*, i, 100, 102.

¹¹⁷ *U. S. Statutes at Large*, 2: 103.

¹¹⁸ *Acts of Va.*, 1845-46, ch. 64, p. 50; 9 *U. S. Statutes at Large*, 35.

¹¹⁹ *Acts of Va.*, 1846-47, ch. 53 and 54, pp. 41, 48. It was after this retrocession that the town of Alexandria was promoted to be a city. See *Acts*, 1852, ch. 358, p. 234.

¹²⁰ *City Council of Alexandria v. Alexandria and Fairfax Counties*, 84 *S. E. Rep.*, 630.

¹²¹ *Acts of Va.*, 1920, ch. 241, p. 343. For the name see *post*, p. 657.



VIRGINIA
OLD PRINCE WILLIAM
— TO ILLUSTRATE —
"LANDMARKS OF OLD PRINCE WILLIAM"

Leonard Leland, Del.
— 1924 —

SCALE OF MILES 0 5 10

LEGEND

- STATE BOUNDARY LINES
- COUNTY BOUNDARY LINES
- PARISH BOUNDARY LINES
- DIVIDE OR HEIGHT OF LAND
- CULTURAL LIMITS IN 1750
- CHURCHES
- WAREHOUSES
- COURTHOUSES
- ORDINARIES
- FORTS

